

Reporals  
6-11-19

**PLANNING AND  
ECONOMIC  
DEVELOPMENT  
STANDING  
COMMITTEE**

33

## OFFICE OF CONTRACTING AND PROCUREMENT

June 7, 2019

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6002183 100% City Funding – To Provide a Separate Authority to Acquire, Develop, and Re-Sell Land located in the City through the Rehabbed and Ready Program. (Fitzgerald Project). – Contractor: Detroit Land Bank Authority – Location: 500 Griswold, Detroit, MI 48226 – Contract Period: Upon City Council Approval through June 30, 2020 – Total Contract Amount: \$500,000.00. **HOUSING AND REVITALIZATION**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer  
Office of Contracting and Procurement

## BY COUNCIL MEMBER TATE

**RESOLVED**, that Contract No. 6002183 referred to in the foregoing communication dated June 7, 2019, be hereby and is approved.

Alton James  
Chairperson

Vice Chair/Secretary

Marcell R. Todd, Jr.  
Director

# City of Detroit

CITY PLANNING COMMISSION  
208 Coleman A. Young Municipal Center  
Detroit, Michigan 48226  
Phone: (313) 224-6225 Fax: (313) 224-4336  
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Brenda Goss Andrews  
Lisa Whitmore Davis  
Damion Ellis  
David Esparza, AIA, LEED  
Gregory Pawlowski  
Frederick E. Russell, Jr.  
Angy Webb

June 7, 2019

## HONORABLE CITY COUNCIL

**RE:** Request of Mr. Bernard Butris to amend Article XVII, District Map No. 19 of the 1984 Detroit City Code, Chapter 61, Zoning, by showing a P1 (Open Parking District) zoning classification where an R1 (Single-family Residential District) zoning classification and B4 (General Business District) zoning classification currently exists on three (3) parcels commonly identified as 5710 E. Eight Mile Road, 20564 and 20576 Syracuse Avenue, generally bounded by E. Eight Mile Road to the north, the north-south alley first east of Syracuse Avenue to the east, Hamlet Street to the south and Syracuse Avenue to the west.  
**(RECOMMEND APPROVAL)**

### NATURE OF REQUEST AND PROJECT PROPOSAL

The City Planning Commission (CPC) has completed its review and deliberations on the request of Mr. Bernard Butris to amend Article XVII, District Map No. 19 of the 1984 Detroit City Code, Chapter 61, Zoning, by showing a P1 (Open Parking District) zoning classification where an R1 (Single-family Residential District) zoning classification and B4 (General Business District) zoning classification currently exists on three (3) parcels commonly identified as 5710 E. Eight Mile Road, 20564 and 20576 Syracuse Avenue, generally bounded by E. Eight Mile Road to the north, the north-south alley first east of Syracuse Avenue to the east, Hamlet Street to the south and Syracuse Avenue to the west.

### BACKGROUND

The subject properties are located in Council District 3 and measure less than half an acre in area. The subject parcels are under the sole ownership of the petitioner Mr. Butris according to a Quit Claim Deed dated June 20, 2018 in which the petitioner acquired 20576 and 20564 Syracuse from the Detroit Land Bank Authority.

The subject properties are located in Census Tract 5067. Based upon the most recent census data the total population for the area is 1,051. There are approximately 384 occupied residential units and 187 vacant residential structures which results in a vacancy rate of 48%.

### *Proposed Development*

The proposed map amendment is being requested to allow for the establishment of an “Open Parking District” at 5710 E. Eight Mile Road, 20564 and 20576 Syracuse Avenue. The proposed use would be permitted on a by-right per Sec. 61-11-43. This district is designed for off-street parking of private passenger vehicles on property which abuts, or is separated by an alley or easement from, a non-residential district. The regulations permit the establishment of parking facilities to serve the non-residential uses, and at the same time do not permit the non-residential uses themselves to extend into

residential areas. The district will assist in reducing traffic congestion caused by non-residential uses and at the same time will protect abutting residential areas from the deleterious effects of adjacent vehicular parking areas.

This use is specifically being sought to allow the petitioner the ability to maximize the utilization of their current Medical Marihuana Caregiver Facility, Flavors Detroit located at 5730 W. Eight Mile Road. State licensure is currently being sought to convert the facility into a Medical Marihuana Provisioning Center, and in order to utilize the maximum square footage of the facility, additional parking must be provided.

The parcels identified as 5710 E. Eight Mile Road and 20576 Syracuse Avenue are presently zoned B4. 5710 E. Eight Mile Road is presently developed as an accessory parking lot for the petitioner's business and could as a matter of right be expended to the south, given the absence of an alley-way or any easements. The parcel identified as 20564 Syracuse is zoned R1 and is adjacent to an occupied single-family residential structure to the south. Should the requested zoning change be granted, there must be strict adherence to the design standards for off-street parking areas as outlined in Secs. 61-14-221 and 61-14-222 for right-of-way screening and residential screening respectively.

#### **SURROUNDING LAND USE AND ZONING**

The zoning classification and land uses surrounding the subject area are as follows:

North: General Commercial / Warren, Michigan.

East: R1 & B4; Single-family residential / Flavors Detroit.

South: R1; Single-family.

West: R1 & B4; Single-family Residential / Salvation Army Outlet Store.

#### **CITY PLANNING COMMISSION PUBLIC HEARING & OTHER COMMUNITY MEETINGS**

On April 25, 2019, the City Planning Commission held a public hearing on this request. There were no members of the public in attendance to address the rezoning request.

The Commission raised a number of questions in regards to perimeter security for the facility, as well as the composition of the masonry wall which is required to separate the P1 parking area from the R1 residential properties to the south.

Forty-two notices were sent out to residents and property owners within 300 radial feet of the subject site. None have been returned as undeliverable. To date, staff has received no communications via mail or telephone either in opposition or support of the requested rezoning.

#### **MASTER PLAN CONFORMANCE**

The subject site is located within the Pershing area of Neighborhood Cluster 1 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows "Thoroughfare Commercial" and "Low Density Residential" for the subject properties. The Planning and Development Department (P&DD) has submitted a report dated April 3, 2019 which states in part:

*"The proposed development conforms to the Future General Land Use characteristics of the area."*

## **ANALYSIS**

The proposed zoning classification of P1 would permit the requested use of an open parking area for an adjacent business on a by-right basis. The proposed P1 district is designed for off-street parking of private passenger vehicles on property which abuts, or is separated by an alley or easement from, a non-residential district. The regulations permit the establishment of parking facilities to serve the non-residential uses, and at the same time do not permit the non-residential uses themselves to extend into residential areas. The district will assist in reducing traffic congestion caused by non-residential uses and at the same time will protect abutting residential areas from the deleterious effects of adjacent vehicular parking areas.

The following analysis details how the proposed rezoning either meets or fails to meet the eight approval criteria of Section 61-3-80 of the Zoning Ordinance, which must be considered in making recommendations and decisions on standard rezoning requests.

- (1) Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend or fact;

Two-thirds of the subject property are currently zoned B4 and would allow for the expansion of the existing parking lot on a by-right basis. The proposed zoning change allows for the continuation of an ongoing use while prohibiting more deleterious and injurious uses adjacent to residential properties.

- (2) Whether the proposed amendment is consistent with the Master Plan and the stated purposes of this Zoning Ordinance;

While the subject rezoning is not a one for one match to the Master Plan of Policies land use designation, the Planning and Development Department finds the request generally consistent with the Master Plan as detailed later in this report.

- (3) Whether the proposed amendment will protect the health, safety, and general welfare of the public;

The P1 district is designed for off-street parking of private passenger vehicles on property which abuts, or is separated by an alley or easement from, a non-residential district. The regulations permit the establishment of parking facilities to serve the non-residential uses, and at the same time do not permit the non-residential uses themselves to extend into residential areas. The district will assist in reducing traffic congestion caused by non-residential uses and at the same time will protect abutting residential areas from the deleterious effects of adjacent vehicular parking areas.

- (4) Whether the City and other service providers will be able to provide adequate public facilities and services to the subject property, while maintaining adequate levels of service to existing development;

The physical characteristics of the subject property will change significantly as a result of the proposed rezoning. Site plans have been presented which show the landscaping and layout of the proposed development. Although alterations to the sight plans need to be made in order to meet the requirement of the zoning ordinance in terms of interior landscaping, and right-of-way screening. Given that the subject property is within a traditional street grid disruption to city services is not anticipated.

(5) Whether the proposed rezoning will have significant adverse impacts on the natural environment, including air, water, soil, wildlife, and vegetation and with respect to anticipated changes in noise and regarding storm water management;

There are no concerns regarding any of these aspects. Existing infrastructure is in place to address stormwater and drainage concerns.

(6) Whether the proposed amendment will have significant adverse impacts on other property that is in the vicinity of the subject tract;

The vast majority of the uses in the immediate area are either residential or commercial in nature. However, there is a sparsely populated residential neighborhood to the south of the subject property. Given the spacing, setback, landscaping and screening requirements for the proposed use staff is of the opinion that no significant adverse impacts will occur as a direct result of the proposed rezoning.

(7) The suitability of the subject property for the existing zoning classification and proposed zoning classification; and

As noted previously, the existing B4 zoning classification is conducive for the proposed uses, however the R1 zoning classification is not. In making the recommendation to pursue a P1 zoning classification, CPC staff considered what would grant the petitioner use of their property, while maintaining a reasonable separation from the adjacent residential properties to the south.

(8) Whether the proposed rezoning will create an illegal “spot zone.”

Given the commercial nature of the corridor in which this rezoning has been requested along with the proposed rezoning’s consistency with the Master Plan of Policies, staff is of the opinion that the proposed rezoning would not constitute an illegal “spot zone.”

#### ***Master Plan Consistency***

The subject site is located within the Pershing area of Neighborhood Cluster 1 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows “Thoroughfare Commercial” for the subject property. The Planning and Development Department (P&DD) has submitted a report dated April 3, 2019 which states in part:

*“The proposed development conforms to the Future General Land Use characteristics of the area.”*

#### ***Suitability of the Property***

One of the aforementioned criteria for rezoning states, “The suitability of the subject property for the existing zoning classification and proposed zoning classification.” Zoning Map No. 19 generally shows a mix of R1 and B4 zoning to the north, south, east and west of the subject property. This section of the Pershing subsector is primarily developed with residential and commercial uses. The existing residential properties along Syracuse Avenue were primarily built between 1920 and 1928. As previously stated the P1 zoning classification allows for the continuation of parking while protecting the adjacent residential neighborhood.

In general, the CPC looks favorably on the rezoning of the subject parcel to accommodate the expansion of commercial and retail services.

#### ***Land Use***

The CPC is of the opinion that a P1 zoning classification is an appropriate designation consistent with the characteristics of the adjacent properties, which will allow for the establishment of an open parking area to support commercial and retail related uses.

***Significant Impact on Other Property***

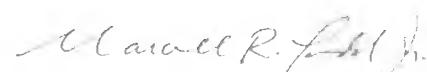
The CPC concludes that the rezoning of this property from a commercial stand-point might add to the sustainability of the surrounding community by allowing the establishment of an economically viable, tax revenue generating development.

**RECOMMENDATION**

On April 18, 2019 the City Planning Commission voted to recommend approval of the request of Mr. Bernard Butris to amend Article XVII, District Map No. 19 of the 1984 Detroit City Code, Chapter 61, Zoning, by showing a P1 (Open Parking District) zoning classification where an R1 (Single-family Residential District) zoning classification and B4 (General Business District) zoning classification currently exists on three (3) parcels commonly identified as 5710 E. Eight Mile Road, 20564 and 20576 Syracuse Avenue, generally bounded by E. Eight Mile Road to the north, the north-south alley first east of Syracuse Avenue to the east, Hamlet Street to the south and Syracuse Avenue to the west.

Respectfully submitted,

ALTON JAMES,  
CHAIRPERSON



Marcell R. Todd, Jr, Director  
George A. Etheridge, Staff

Attachments:

Zoning Map No. 19  
Ordinance

Alton James  
Chairperson  
Lauren Hood, MCD  
Vice Chair/Secretary

# City of Detroit

**CITY PLANNING COMMISSION**  
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Brenda Goss-Andrews  
Lisa Whitmore Davis  
David Esparza, AIA, LEED  
Gregory Pawlowski  
Frederick E. Russell, Jr.  
Angy Webb

## NOTICE OF PUBLIC HEARING

A public hearing will be held by the Detroit City Planning Commission in the Committee of the Whole Room, 13th Floor, Coleman A. Young Municipal Center, 2 Woodward Avenue, Detroit, Michigan 48226, on

**THURSDAY, APRIL 25, 2019 AT 6:15 PM**

to consider the request of Mr. Bernard Butris to amend Article XVII, District Map No. 19 of the 1984 Detroit City Code, Chapter 61, Zoning, by showing a P1 (Open Parking District) zoning classification where an R1 (Single-family Residential District) and B4 (General Business District) zoning classification currently exists on three (3) parcels, commonly identified as 5710 E. Eight Mile Road, 20564 and 20576 Syracuse Avenue.

The location of the proposed rezoning is specifically indicated as the shaded area on the accompanying map.

The proposed map amendment is being requested to allow for the expansion of an accessory parking lot located at 5701 E. Eight Mile Road. The proposed open parking district would be permitted on a by-right in the proposed P1 zoning classification.

The pertinent zoning district classifications are described as follows:

### **R1 – Single-family Residential District**

This district is designed to protect and preserve quiet, low-density residential areas now primarily developed and those areas which will be developed with single-family detached dwellings and characterized by a high ratio of home ownership. The regulations for this district are designed to stabilize and protect the essential characteristics of the district and to promote and encourage a suitable environment for activities associated with family life. To these ends, development is limited to a relatively low concentration and uses permitted by right are limited to single-family detached dwellings which provide homes for the residents of the area. Additional residential uses such as religious institutions, neighborhood centers, and utility uses necessary to serve the immediate area may be permitted on a conditional basis.

### **B4 – General Business District**

The B4 General Business District provides for business and commercial uses of a thoroughfare-oriented nature. In addition to these uses, other businesses, which may benefit by drawing part of their clientele from passing traffic are permitted. Additional uses, which may be successfully blended with permitted by-right uses, are conditional.

## P1 – Open Parking District

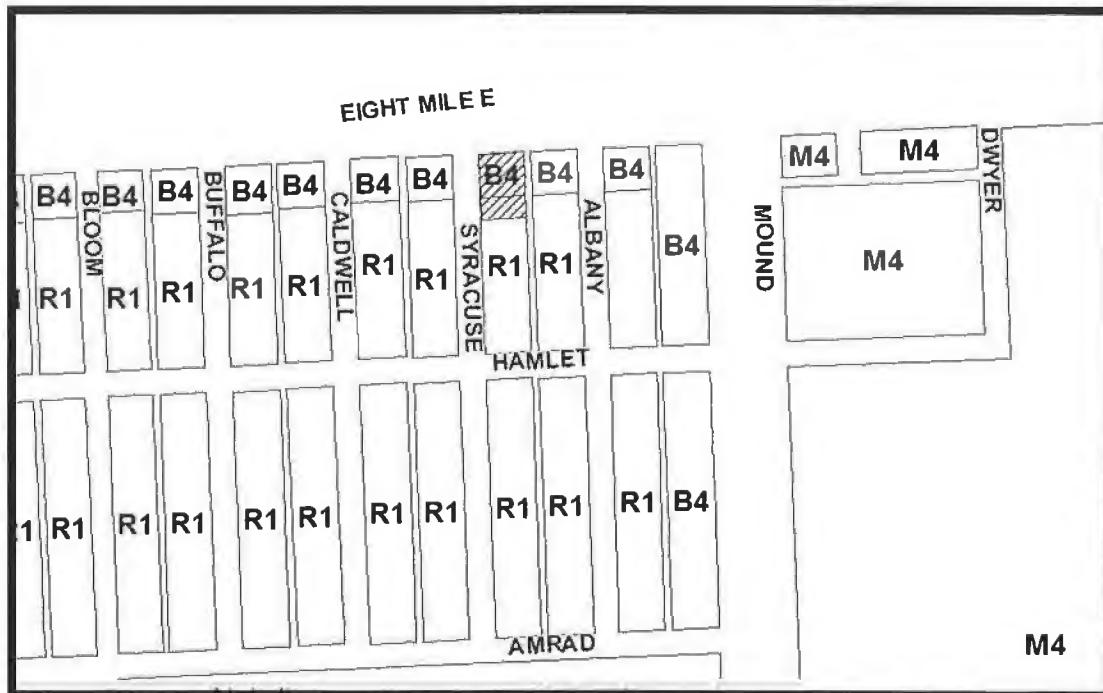
This district is designed for off-street parking of private passenger vehicles on property which abuts, or is separated by an alley or easement from, a non-residential district. The regulations permit the establishment of parking facilities to serve the non-residential uses, and at the same time do not permit the non-residential uses themselves to extend into residential areas. The district will assist in reducing traffic congestion caused by non-residential uses and at the same time will protect abutting residential areas from the deleterious effects of adjacent vehicular parking areas.

A Zoning Ordinance map amendment requires approval of the City Council after a public hearing and after receipt of a report and recommendation by the City Planning Commission. This Zoning Ordinance map amendment request is being considered consistent with the provisions of Article III, Division 3 of Chapter 61 of the 1984 Detroit City Code, the Detroit Zoning Ordinance.

You may present your views on this proposal by attending this hearing, by authorizing others to represent you, or by writing to this office prior to the hearing; 2 Woodward Avenue, Room 208, Detroit, Michigan 48226 (FAX: 313-224-4336). Because it is possible that some who are affected by this proposal may not have been notified, it is suggested that you kindly inform your neighbors so that they too may express their positions if they so desire.

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including language translation and reasonable ADA accommodations. Please contact the ***Civil Rights, Inclusion and Opportunity Department*** at 313-224-4950, through the TTY number 711, or email [crio@detroitmi.gov](mailto:crio@detroitmi.gov) to schedule these services.

For further information on this proposal or the public hearing, please call (313) 224-6225.



## Proposed Rezoning from B4 and R1 to P1

19

(6-3-2012)

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TO: Mr. Marcell Todd, Legislative Policy Division  
FROM: Esther Yang, Planning and Development  
RE: Master Plan Interpretation for **Rezoning** at 5710 E. Eight Mile, 20564 Syracuse, and 20576 Syracuse  
DATE: April 3, 2019  
CC: Maurice Cox, Director, Planning and Development  
  
RE: **Master Plan Interpretation to amend Article XVII, District Map No. 19 of the 1984 Detroit City Code, Chapter 61, Zoning, by showing a P1 (Open Parking District) where a B4 (General Business) and R1 (Single Family Residential) currently exists.**

Pursuant to the City of Detroit's City Charter (Sections 6-202 and 6-204), the Planning and Development Department's (P&DD) Planning Division submits the following review of the proposed rezoning.

**Petitioner:** Mr. Bernard Butris

**Location and Project Proposal:** Subject site is located at 5710 E. Eight Mile and 20564 & 20576 Syracuse. The petitioner is requesting a rezoning to allow for the establishment of an "Open Parking District" adjacent to the petitioner's existing business located at 5730 E. Eight Mile Road. The proposed parking use would be permitted on a by-right in the proposed P1 zoning classification

**Existing Site Information:** The subject site fronts E. 8 Mile Road, a wide commercial thoroughfare and wraps to the south along Syracuse. 5710 E. 8 Mile is currently operating as a parking lot, 20576 is an empty grass lot, and 20564 appears to be an occupied single-family residential property.

**Surrounding Site Information:** Directly to the west of the subject site along E. 8 Mile Road is a corner parking lot serving a Salvation Army and to the east is a large, possibly vacant commercial structure, and a Sunoco gas station. To the south of the subject site is a single-family residential neighborhood. To the north, the subject site fronts E. 8 Mile and the dividing median separating east/west commuter traffic.

### **Interpretation**

#### **Impact on Surrounding Land Use**

The subject site's proposed use as a parking district is a common feature throughout the E. 8 Mile corridor. The proposed open parking district continues to emphasize a landscape not uncommon to areas classified as a Commercial Thoroughfare. The indirect consequence of this corridor character is the dominance of hardscapes along the corridor with little to no landscape buffering or curb appeal.

#### **Impact on Transportation**

This stretch of E. 8 Mile is served by a DDOT bus line; there is an eastbound bus stop one block to the west on Caldwell and a westbound bus stop on the north side of E. 8 Mile Rd. The subject site, serving as an open-parking district most likely will encourage greater vehicle flow and automobile density on this corner.



### **Master Plan Interpretation**

The subject site area located at 5710 E. Eight Mile and 20576 Syracuse is designated **Thoroughfare Commercial (CT)**. Thoroughfare Commercial areas are located along the major automobile thoroughfares of the City. The retail uses along these thoroughfares are generally oriented toward the passing automobile traffic. High traffic generating uses are generally permitted provided that they are properly buffered from residential and other uses that may be negatively impacted.

The subject site area located at 20564 Syracuse is designated **Low Density Residential (RL)**. Low Density Residential areas should have an overall density of up to 8 dwelling units per net residential acre. The areas are often characterized by single family homes with front yard setbacks and driveways with garage or off street parking. The residential classifications allow for neighborhood-scale commercial development. The proposed subject site use as a parking district begins to encroach upon the residential neighborhood; landscape buffering and/or design considerations are strongly encouraged to minimize disruptive and negative impacts on the residential community. This particular location, 20564 Syracuse is slightly out of the boundary designated Thoroughfare Commercial (CT), however the Master Plan Future Land Use categories used on all the maps are generalized. Boundaries are not meant to be precise as to blocks or property lines. Petitioner is strongly encouraged to engage impacted neighbors and residents as the parking use is designed and constructed. Design will need to comply with landscaping requirements in the zoning ordinance, particularly since the square footage of parking will be rather substantial.

The following policies of the Pershing neighborhood describe the following recommendations:

- Policy 1.1: Encourage the use of code enforcement as a tool to maintain neighborhoods
- Goal 4: Improve the appearance of commercial area

**The proposed development conforms to the Future General Land Use characteristics of the area.**

### **Attachments**

Future General Land Use Map: Neighborhood Cluster 1, Pershing; Map 1-5B

## **SUMMARY**

An ordinance to amend Chapter 61 of the 1984 Detroit City Code, ‘*Zoning*,’ commonly known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No. 19 to show a P1 (Open Parking District) zoning classification where R1 (Single-family Residential District) and B4 (General Business District) zoning classifications are currently shown on three (3) parcels commonly identified as 5710 East Eight Mile Road, and 20564 and 20576 Syracuse Avenue, generally bounded by East Eight Mile Road to the north, the north-south alley first east of Syracuse Avenue to the east, Hamlet Street to the south, and Syracuse Avenue to the west.

1 **BY COUNCIL MEMBER** \_\_\_\_\_:

2 **AN ORDINANCE** to amend Chapter 61 of the 1984 Detroit City Code, 'Zoning,'  
3 commonly known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No.  
4 19 to show a P1 (Open Parking District) zoning classification where R1 (Single-family  
5 Residential District) and B4 (General Business District) zoning classifications are currently  
6 shown on three (3) parcels commonly identified as 5710 East Eight Mile Road, and 20564 and  
7 20576 Syracuse Avenue, generally bounded by East Eight Mile Road to the north, the north-  
8 south alley first east of Syracuse Avenue to the east, Hamlet Street to the south, and Syracuse  
9 Avenue to the west.

10 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:**

11 **Section 1.** Article XVII, Chapter 61 of the 1984 Detroit City Code, 'Zoning,' commonly  
12 known as the Detroit Zoning Ordinance, is amended as follows:

13 District Map No. 19 is amended to show a P1 (Open Parking District) zoning  
14 classification where R1 (Single-family Residential District) and B4 (General Business District)  
15 zoning classifications are currently shown on three (3) parcels commonly identified as 5710 East  
16 Eight Mile Road, and 20564 and 20576 Syracuse Avenue, generally bounded by East Eight Mile  
17 Road to the north, the north-south alley first east of Syracuse Avenue to the east, Hamlet Street  
18 to the south, and Syracuse Avenue to the west, and identified more specifically as:

19 Land situated in the City of Detroit, County of Wayne, State of Michigan, as  
20 follows:

21 S EIGHT MILE RD 122&123 EXC 8 MILE AS WD NORTH HAMTRAMCK  
22 SUB L36 P68 PLATS, W C R 13/303 107 X 68 inclusive of E SYRACUSE 124  
23 through 125 N HAMTRAMCK L36 P68 PLATS, W C R 13/303 35 X 107

1           **Section 2.** All ordinances or parts of ordinances in conflict with this ordinance  
2           are repealed.

3           **Section 3.** This ordinance is declared necessary for the preservation of the public peace,  
4           health, safety, and welfare of the people of the City of Detroit.

5           **Section 4.** This ordinance shall become effective on the eighth day after publication in  
6           accordance with MCL 125.3401(6) and Section 4-118, paragraph 3, of the 2012 Detroit City  
7           Charter.

Approved as to Form:

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Lawrence T. Garcia  
Corporation Counsel

Alton James  
Chairperson

Vice Chair/Secretary

Marcell Todd  
Director

# City of Detroit

CITY PLANNING COMMISSION  
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35

Brenda Goss Andrews  
Lisa Whitmore Davis  
Damion Ellis  
David Esparza, AIA, LEED  
Gregory Pawlowski  
Frederick E. Russell, Jr.  
Angy Webb

June 7, 2019

## HONORABLE CITY COUNCIL

**RE:** Request of Thomas Group Consulting and Parkstone Development Partners to amend Article XVII, District Map No. 63 of the 1984 Detroit City Code, Chapter 61, Zoning, by showing a B1 (Restricted Business District) zoning classification and a B4 (General Business District) zoning classification where an R6 (High Density Residential District) zoning classification currently exists on one (1) parcel commonly identified as 18520 West Seven Mile Road, generally bounded by Vassar Avenue to the north, Glastonbury Avenue to the east, W. Seven Mile Road to the south and Greenview Avenue to the west. **(RECOMMEND APPROVAL)**

### NATURE OF REQUEST AND PROJECT PROPOSAL

The City Planning Commission (CPC) has completed its review and deliberations on the request of Thomas Group Consulting and Parkstone Development Partners. Consistent with the analysis and findings provided below, the Commission recommends approval of the request to show a B1 (Restricted Business District) zoning classification and a B4 (General Business District) zoning classification where an R6 (High Density Residential District) zoning classification currently exists on one (1) parcel commonly identified as 18520 West Seven Mile Road, generally bounded by Vassar Avenue to the north, Glastonbury Avenue to the east, W. Seven Mile Road to the south and Greenview Avenue to the west.

### BACKGROUND

The subject property is located in Council District 1 and measures approximately thirteen (13) acres in area. Formerly known as the Arnold Home, the corner stone of that facility was laid in September 1931. Designed and built by Weston and Ellington the facility was opened to both men and women as a retirement facility in December of 1931. The first phase consisted of four wings, two stories high with beds for 115 patients, a dining hall, hospital facilities, and gathering rooms. Two more floors were added in 1938, completing the Greek revival façade, and bringing the capacity up to 235 patients.

By the 50th anniversary of the home in 1949, the Arnold Home had grown from a home for the infirm into a thriving community of retirees. Separate quarters for the hospital's nurses and executives were dedicated in 1952, and a 110-bed addition was completed in 1958, bringing the total number of residents to 395.

In July of 2004, the Arnold Home announced that it would be closing due to financial troubles. The 185 residents were relocated to other facilities, and 300 staff members were laid off. The home was vacated two months later. At the time, it was Michigan's oldest nursing home.

After several false starts, demolition of the Arnold Home started in May of 2013. The bulk of the structure was gone by August. The cost was covered by HUD grants that were originally intended for home demolition, but were re-routed for commercial buildings.

Since the most recent Wayne County Treasurer tax foreclosure in 2011 the subject property has gone through four title changes. The parcel commonly identified as 18520 W. Seven Mile Road is currently under the sole ownership of Davison Plaza Shopping Center Inc.

The subject property is located in Census Tract 5407. Based on the most recent census data the total population for the area is 3,753. There are approximately 1,197 households with an average of 3 persons per household. As of the 2010 census there were 1,458 residential units with 82% of those units being occupied.

### ***Proposed Development***

The proposed map amendments are being requested to allow for the establishment of a "Store of a generally recognized retail nature whose primary business is the sale of new merchandise" along the W. Seven Mile Road frontage and to allow for the establishment of a "governmental service agency" on the balance of the site located at 18520 W. Seven Mile Road. The initial phase of the development is anticipated to consist of one strip retail development along the W. Seven Mile Road frontage and one Department of Health and Human Services office facility on the northern portion of the site. Data collected by the Michigan Secretary of State office shows that a substantial number of residents who utilize the current W. Grand Boulevard DHHS facility located at 3040 W. Grand Boulevard in the former GM Headquarters building reside in the 48219 zip code.

Additional phases which would include the complete build-out of the W. Seven Mile Road commercial frontage as well as the addition of a second office building on the balance of the site are anticipated based on the demand for the services.

Pending the passage of the concurrently proposed text amendment, both the general retail and governmental service agency uses would be permitted by-right in the B1 and B4 zoning classifications respectively. It is the developer's intent to break ground in either September or October of 2019.

### **SURROUNDING LAND USE AND ZONING**

The zoning classification and land uses surrounding the subject area are as follows:

|        |   |
|--------|---|
| North: | R1; Single-family Residential along Vassar Avenue.  |
| East:  | R1 & B4; Single-family Resident along Glastonbury Avenue / Best Offer Auto used auto sales lot.           |
| South: | B4; BP Gas Station / Greenview Auto Works / Five Star Hand Car Wash / Best Offer Auto secondary location. |
| West:  | R1; Single-family Residential along Greeview Avenue.  |

### **CITY PLANNING COMMISSION PUBLIC HEARING & OTHER COMMUNITY MEETINGS**

On April 4, 2019, the City Planning Commission held a public hearing on this request. There were three members of the public in attendance to address the rezoning request. Those in attendance spoke in support of the proposed rezoning.

## **PUBLIC HEARING RESULTS**

CPC staff along with the petitioner and Ms. Latrice McClendon the District Manager for City Council District 1 presented before the executive board of the O'Hair Park Community Association on Tuesday, March 19, 2019. There were approximately 24 residents in attendance. The community members present were overwhelmingly in support of the proposed text amendment and the rezoning.

Points of concern which were raised primarily revolved around the need for a traffic study and additional points of ingress and egress to the facility. One recommendation was a point of ingress and egress to be added on Greeview Avenue at Cambridge Avenue. Additionally, a point of ingress and egress was recommended for Vassar Avenue at the northern-most portion of the site.

## **MASTER PLAN CONFORMANCE**

The subject site is located within the Evergreen area of Neighborhood Cluster 8 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows "Institutional" for the subject property. The Planning and Development Department (P&DD) has submitted a report dated April 2, 2019 which states in part:

*"The proposed development conforms to the Future General Land Use characteristics of the area."*

## **ANALYSIS**

The proposed zoning classification of B1 and B4 would permit the requested uses of general retail and governmental service agency on a by-right basis. The proposed B1 zoning classification would permit 36 by-right residential, public, civic, institutional, retail, service, commercial and other uses. The proposed B4 zoning classification would permit 74 by-right public, civic, institutional, retail, service, commercial, manufacturing, industrial and other uses, compared to the 34 permitted by right uses in the existing R6 zoning classification. The most intensive uses in the B4 zoning classification includes "Motor vehicle services" inclusive of repair and steam cleaning. Again, the B4 zoning classification is directed to the W. Seven Mile Road frontage which is presently developed with several automotive related uses. However, staff will note that many automotive related uses would not be able to achieve licensure, given the Mayor's moratorium which is scheduled to remain in effect until April 1, 2020.

The following analysis details how the proposed rezoning either meets or fails to meet the eight approval criteria of Section 61-3-80 of the Zoning Ordinance, which must be considered in making recommendations and decisions on standard rezoning requests.

- (1) *Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend or fact;*

Several areas of the City of Detroit are undergoing substantial reinvestment, inclusive of W. Seven Mile Road in northwest Detroit. With the demolition of the former Arnold Home site in 2013, the property has sat vacant and unimproved for over a decade. The proposed investment in this property will reinstitute the envisioned institutional use of the property while providing commercial and retail offerings along the W. Seven Mile Road corridor.

- (2) *Whether the proposed amendment is consistent with the Master Plan and the stated purposes of this Zoning Ordinance;*

The proposed rezoning of B1 and B4 respectively are consistent with the Master Plan of Policies as reflected in Planning and Development's April 2, 2019 report.

(3) *Whether the proposed amendment will protect the health, safety, and general welfare of the public;*

The proposed rezonings are designed to keep density levels low in what is a traditionally low-density residential neighborhood. The intended use of governmental service agencies by way of the Department of Health and Human Services which is seeking to relocate their Senior services hub to a community which largely utilizes those services is consistent with zoning and the Master Plan of Policies.

(4) *Whether the City and other service providers will be able to provide adequate public facilities and services to the subject property, while maintaining adequate levels of service to existing development;*

The physical characteristics of the subject property will change significantly as a result of the proposed rezoning. Preliminary site plans have been presented which show the layout of the proposed development. Given that the subject property is within a traditional street grid, disruption to city services is not anticipated.

(5) *Whether the proposed rezoning will have significant adverse impacts on the natural environment, including air, water, soil, wildlife, and vegetation and with respect to anticipated changes in noise and regarding storm water management;*

There are no concerns regarding any of these aspects.

(6) *Whether the proposed amendment will have significant adverse impacts on other property that is in the vicinity of the subject tract;*

The vast majority of the uses in the immediate area are either residential or commercial in nature. However, there is a densely populated residential neighborhood to the north of the subject property. Given the spacing, setback, landscaping and screening requirements for the proposed use, staff is of the opinion that no significant adverse impacts will occur as a direct result of the proposed rezoning.

(7) *The suitability of the subject property for the existing zoning classification and proposed zoning classification; and*

As noted previously, the existing R6 zoning classification is not conducive for the proposed uses which are commercial and institutional in nature. Before making the recommendation to pursue a B1 and B4 zoning classification, respectively, CPC staff evaluated all zoning classifications and determined that the B1 and B4 zoning classification would allow for the proposed use and maintain the character of the neighborhood along the W. Seven Mile Road frontage, Greenview Avenue and Glastonbury Avenue, respectively.

(8) *Whether the proposed rezoning will create an illegal "spot zone."*

Given the commercial nature of the corridor in which this rezoning has been requested along with the proposed rezoning's consistency with the Master Plan of Policies, CPC has concluded that the proposed rezoning would not constitute an illegal "spot zone."

### ***Suitability of the Property***

One of the aforementioned criteria for rezoning states, “The suitability of the subject property for the existing zoning classification and proposed zoning classification.” Zoning Map No. 63 generally shows a mix of R1 and B4 zoning to the north, south, east and west of the subject property. This section of the Evergreen subsector is primarily developed with residential and commercial uses. The existing residential properties along Greenview Avenue and Glastonbury Avenue were primarily built between 1942 and 1948. As previously stated, the B4 zoning classification allows for a variety of commercial offerings and supportive services for traditional residential neighborhoods. The proposed B1 zoning classification would allow for the implementation of institutional and limited commercial uses without introducing deleterious effects into a primarily residential neighborhood.

In general, the CPC looks favorably on the rezoning of the subject parcel to accommodate the expansion of commercial and retail services.

### ***Land Use***

The CPC is of the opinion that a B1 and B4 zoning classification is an appropriate designation consistent with the characteristics of the adjacent properties, which will allow for the establishment of commercial, retail and institutional related uses.

### ***Significant Impact on Other Property***

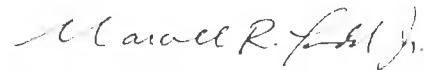
The CPC is of the opinion that the rezoning of this property from a commercial stand-point might add to the sustainability of the surrounding community by allowing the establishment of an economically viable, tax revenue generating development.

## **RECOMMENDATION**

On April 11, 2019 the City Planning Commission voted to recommend approval of the request of Thomas Group Consulting and Parkstone Development Partners. Consistent with the analysis and findings provided above, the CPC recommends approval of the request to show a B1 (Restricted Business District) zoning classification and a B4 (General Business District) zoning classification where an R6 (High Density Residential District) zoning classification currently exists on one (1) parcel commonly identified as 18520 West Seven Mile Road, generally bounded by Vassar Avenue to the north, Glastonbury Avenue to the east, W. Seven Mile Road to the south and Greenview Avenue to the west.

Respectfully submitted,

ALTON JAMES,  
CHAIRPERSON



Marcell R. Todd, Jr, Director  
George A. Etheridge, Staff

Attachments:

Zoning Map No. 63  
Ordinance

Alton James  
Chairperson  
Lauren Hood, MCD  
Vice Chair/Secretary

# City of Detroit

**CITY PLANNING COMMISSION**  
208 Coleman A. Young Municipal Center  
Detroit, Michigan 48226  
Phone: (313) 224-6225 Fax: (313) 224-4336  
e-mail: [cpc@detroitmi.gov](mailto:cpc@detroitmi.gov)

Brenda Goss-Andrews  
Lisa Whitmore Davis  
David Esparza, AIA, LEED  
Gregory Pawlowski  
Frederick E. Russell, Jr.  
Angy Webb

## NOTICE OF PUBLIC HEARING

A public hearing will be held by the Detroit City Planning Commission in the Committee of the Whole Room, 13th Floor, Coleman A. Young Municipal Center, 2 Woodward Avenue, Detroit, Michigan 48226, on

**THURSDAY, APRIL 4, 2019 AT 6:15 PM**

to consider the request of the Thomas Group Consulting and Parkstone Development Partners to amend Article XVII, District Map No. 63 of the 1984 Detroit City Code, Chapter 61, Zoning, by showing a B4 (General Business District) and B1 (Restricted Business District) zoning classification where an R6 (High Density Residential District) zoning classification currently exists on one (1) parcel, commonly identified as 18520 W. Seven Mile Road.

The location of the proposed rezoning is specifically indicated as the shaded area on the accompanying map.

The proposed map amendment is being requested to allow for the establishment of a “Store of a generally recognized retail nature whose primary business is the sale of new merchandise” along the W. Seven Mile Road frontage, and a “Governmental service agency” on the balance of the parcel at 18520 W. Seven Mile Road. The proposed retail and commercial uses would be permitted on a by-right basis in the proposed B1 and B4 zoning classifications pending the approval of a text amendment to allow governmental service agencies in the B1 zoning classification.

The pertinent zoning district classifications are described as follows:

### **R6 – High Density Residential District**

The district is designed as a high-density multiple-dwellings district to be used primarily in areas adjacent to the Central business district, the New Center Area, the Cultural Center, the waterfront, certain large city parks, and other areas which have a high concentration of persons and land values. This district will permit a range of living accommodations, from the low-density dwelling up to very high-density dwellings, including institutions and residentially related uses, and will permit certain specified service and convenience-type commercial uses of a character unlikely to develop excessive traffic but which will serve the residents of the immediate area. Single-family detached and two-family dwellings will not be permitted in this district by-right but may be allowed as Conditional Uses.

### **B1 – Restricted Business District**

The B1 District is designed to provide an adequately controlled transition in land use from residential to business and commercial uses and is mapped accordingly. Permitted uses are limited to those which are desirable and can be fitted into such a transitional pattern of land

use. Front, side, and rear setbacks are required of all permitted residential and commercial uses. To protect housing adjacent or across an alley, a lot line wall is required of nonresidential uses where adjacent to, or across an alley from, residential property.

#### B4 – General Business District

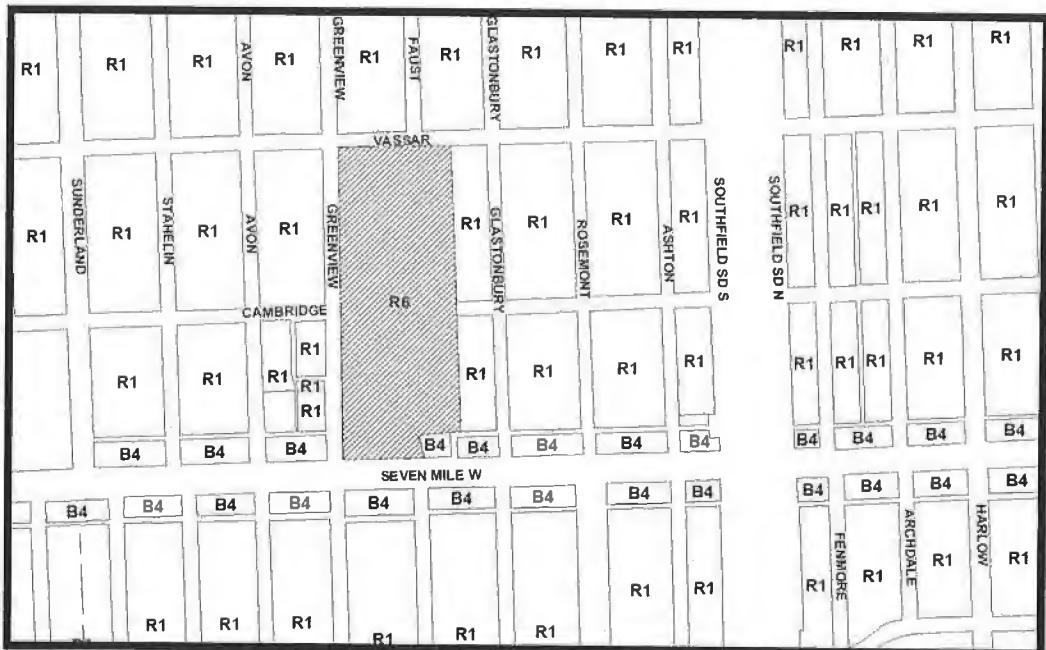
The B4 General Business District provides for business and commercial uses of a thoroughfare-oriented nature. In addition to these uses, other businesses, which may benefit by drawing part of their clientele from passing traffic are permitted. Additional uses, which may be successfully blended with permitted by-right uses, are conditional.

A Zoning Ordinance map amendment requires approval of the City Council after a public hearing and after receipt of a report and recommendation by the City Planning Commission. This Zoning Ordinance map amendment request is being considered consistent with the provisions of Article III, Division 3 of Chapter 61 of the 1984 Detroit City Code, the Detroit Zoning Ordinance.

You may present your views on this proposal by attending this hearing, by authorizing others to represent you, or by writing to this office prior to the hearing; 2 Woodward Avenue, Room 208, Detroit, Michigan 48226 (FAX: 313-224-4336). Because it is possible that some who are affected by this proposal may not have been notified, it is suggested that you kindly inform your neighbors so that they too may express their positions if they so desire.

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including language translation and reasonable ADA accommodations. Please contact the ***Civil Rights, Inclusion and Opportunity Department*** at 313-224-4950, through the TTY number 711, or email [crio@detroitmi.gov](mailto:crio@detroitmi.gov) to schedule these services.

For further information on this proposal or the public hearing, please call (313) 224-6225.



## Proposed Rezoning from R6 to B1 and B4

N

72

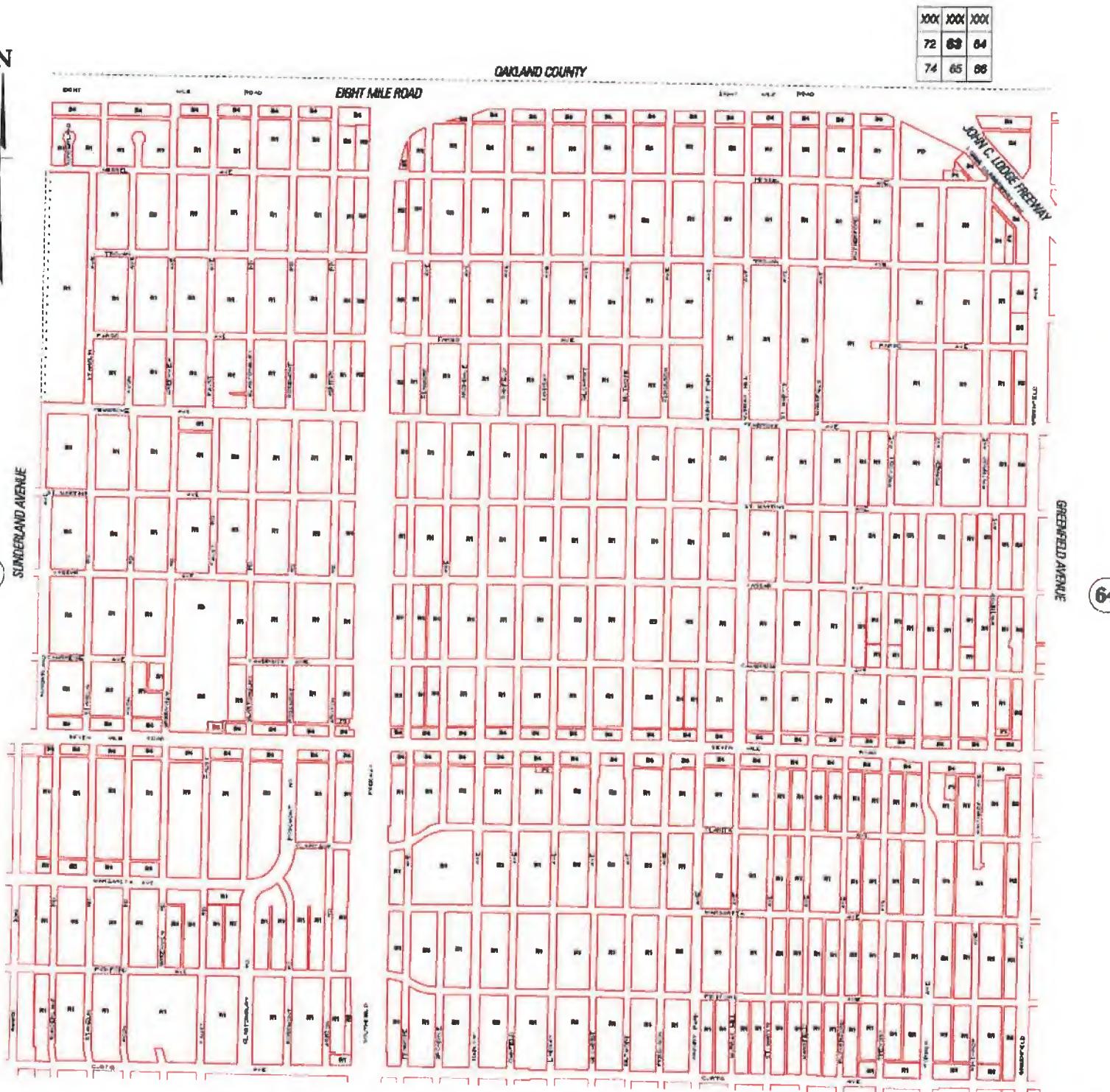
SUNDERLAND AVENUE

63

CLARTIS AVENUE

65

63 (7-20-2007)





TO: Mr. Marcell Todd, Legislative Policy Division  
FROM: Esther Yang, Planning and Development  
RE: Master Plan Interpretation for **Rezoning at 18520 W. Seven Mile Road**  
DATE: April 2, 2019  
CC: Maurice Cox, Director, Planning and Development  
  
RE: **Master Plan Interpretation to amend Article XVII, District Map No. 63 of the 1984 Detroit City Code, Chapter 61, Zoning, by showing a B1 (Restricted Business District) and B4 (General Business District) zoning classification where an R6 (High Density Residential) currently exists. Subject site is located on 18520 W. Seven Mile Road**

Pursuant to the City of Detroit's City Charter (Sections 6-202 and 6-204), the Planning and Development Department's (P&DD) Planning Division submits the following review of the proposed rezoning.

**Petitioner:** Thomas Group Consulting and Parkstone Development Partners

**Location and Project Proposal:** Subject site is located at 18520 W. Seven Mile Road. The proposed rezoning to a B4 (General Business District) will support the establishment of a retail business along W. Seven Mile Road. Additionally, the proposed rezoning to a B1 (Restricted Business District) will support the creation and operation of a new government service agency, the Michigan Department of Health and Human Services.

**Existing Site Information:** The existing site was the former location of the Arnold Home, a senior living community that was demolished in 2013. The site currently sits vacant and is approximately 13 acres and consumes a quadrant of approximately 4 neighborhood blocks.

**Surrounding Site Information:** The subject site is surrounded on the west, north, and east sides by residential neighborhoods; the southern side of the subject site fronts W. Seven Mile Road and is adjacent to a mixture of commercial/retail businesses, auto yard, a church, and a sprinkling of community interest establishments

#### **Interpretation**

##### Impact on Surrounding Land Use

The proposed use on the subject site will re-occupy/redevelop a large area of unproductive property and potentially attract more foot and/or commuter consumer traffic for adjacent existing businesses. Proposed business uses and rezoning on subject site could also attract and diversify business types and more small-scaled neighborhood-friendly retail to balance out the dominance of auto-related business that dominate the immediate adjacent blocks

##### Impact on Transportation

Subject site is serviced by a DDOT bus line and has the potential to attract ridership of individuals seeking retail destinations and services at the Michigan Department of Health and Human Services



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### **Master Plan Interpretation**

The subject site area is designated **Institutional (INST)**. Institutional status applies to areas of approximately 10 acres or more with educational, religious, health or public uses, including: churches, libraries, museums, public or private schools, hospitals, or government building, structure or land used for public purposes.

The following policies of the Evergreen neighborhood describe the following recommendations:

- Policy 1.1 – Use code enforcement as a tool to maintain the stability of the area north of Seven Mile and southeast of Seven Mile and Evergreen
- Policy 3.1 – Target McNichols and Seven Mile with business improvement and retention programs
- Policy 5.1 – Encourage code enforcement, the removal of abrasive commercial uses, and physical improvements along Seven Mile and McNichols

**The proposed development conforms to the Future General Land Use characteristics of the area.**

### **Attachments**

Future General Land Use Map: Neighborhood Cluster 8, Evergreen, Map 8-2B

## **SUMMARY**

An ordinance to amend Chapter 61 of the 1984 Detroit City Code, ‘*Zoning*,’ commonly known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No. 63 to show a B1 (Restricted Business District) zoning classification and a B4 (General Business District) zoning classification where an R6 (High Density Residential District) zoning classification currently exists on one (1) parcel commonly identified as 18520 West Seven Mile Road, generally bounded by Vassar Avenue to the north, Glastonbury Avenue to the east, W. Seven Mile Road to the south and Greenview Avenue to the west.

1 **BY COUNCIL MEMBER** \_\_\_\_\_ :

2 **AN ORDINANCE** to amend Chapter 61 of the 1984 Detroit City Code, 'Zoning,'  
3 commonly known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No.  
4 63 to show a B1 (Restricted Business District) zoning classification and a B4 (General Business  
5 District) zoning classification where an R6 (High Density Residential District) zoning  
6 classification currently exists on one (1) parcel commonly identified as 18520 West Seven Mile  
7 Road, generally bounded by Vassar Avenue to the north, Glastonbury Avenue to the east, W.  
8 Seven Mile Road to the south and Greenview Avenue to the west.

9 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**

10 **THAT:**

11 **Section 1.** Article XVII, Chapter 61 of the 1984 Detroit City Code, 'Zoning,' commonly  
12 known as the Detroit Zoning Ordinance, is amended as follows:

13 District Map No. 63 to show a B1 (Restricted Business District) zoning classification and  
14 a B4 (General Business District) zoning classification where an R6 (High Density Residential  
15 District) zoning classification currently exists on one (1) parcel commonly identified as 18520  
16 West Seven Mile Road, generally bounded by Vassar Avenue to the north, Glastonbury Avenue  
17 to the east, W. Seven Mile Road to the south and Greenview Avenue to the west, identified more  
18 specifically as:

19 Land situated in the City of Detroit, County of Wayne, State of Michigan, as  
20 follows:

21 N SEVEN MILE RD W ALL THAT PT OF S E 1/4 SEC 2 T I S R 10 E DESC  
22 AS FOLS BEG AT A PTE IN W LINE MILLDALE SUB DIST N OD 01M W  
23 60 FT FROM S W COR SD SUB TH S 88D 50M W 305.93 FT TH N 0D 13M

1                   10S E 1230.30 FT TH N 88D 59M E 300 .85 FT TH S 0D 01M E 1229.53 FT TO  
2                   P O B ALSO 240 THRU 265 AND VAC CAMBRIDGE AVE & VAC FAUST  
3                   AVE ADJ SD LOTS ALSO N 83 FT OF 271 THRU 268 N 83 FT OF W 5 FT  
4                   267 AND VAC ALLEY & VAC FAUST AVE ADJ MILLDALE SUB L39 P62  
5                   PLATS, W C R 22/353 12.93 ACRES.

6                   **Section 2.** All ordinances or parts of ordinances in conflict with this ordinance  
7                   are repealed.

8                   **Section 3.** This ordinance is declared necessary for the preservation of the public peace,  
9                   health, safety, and welfare of the people of the City of Detroit.

10                  **Section 4.** This ordinance shall become effective on the eighth (8<sup>th</sup>) day after publication  
11                  in accordance with MCL 125.3401(6) and Section 4-118, paragraph 3, of the 2012 Detroit City  
12                  Charter.

Approved as to Form:

  
Lawrence García  
Corporation Counsel

# City of Detroit

Alton James  
Chairperson

Vice Chair/Secretary

Marcell R. Todd, Jr.  
Director

**CITY PLANNING COMMISSION**  
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**36**  
Brenda Goss Andrews  
Damion Ellis  
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Lisa Whitmore Davis  
Gregory Pawlowski  
Frederick E. Russell, Jr.  
Angy Webb

June 7, 2019

## HONORABLE CITY COUNCIL

**RE: Zoning Ordinance Text Amendment (Maximum lot coverage, Governmental Service Agency, Parks and Recreation - incidental retail sales, high-frequency transit corridors, Assembly-, Banquet- and Rental Halls) (RECOMMEND APPROVAL)**

The City Planning Commission (CPC) has completed its review and deliberations of the several enclosed proposed text amendments. The proposals include amendments to the use lists of various zoning classifications as well as dimensional standards as outlined in the report below. On April 18, 2019 the CPC voted to recommend approval of the proposed text amendments to the Detroit Zoning Ordinance, Chapter 61, of the 1984 Detroit City Code.

### SCOPE OF ORDINANCE

1) With the passage of Ordinance No. 37-17, the Fifth General text amendment, Sec. 61-13-102 was inadvertently left unchanged in regards to the language specifying an R5 conditional retail, service, and commercial use; uses occupying not more than 3,000 square feet of gross floor area and not having drive-up or drive-through facilities, where located in a building constructed prior to January 1, 2017 and located on a zoning lot not farther than one-half (1/2) mile from bus rapid transit, streetcar / trolley or light rail line, strictly limited to...

It was the intent of Ordinance No. 37-17 to amend this section by striking the language "...bus rapid transit, streetcar / trolley or light rail line..." and replacing it with "a high-frequency transit corridor as defined in Sec. 61-16-102 of the Code,"

- 2) With the pending redevelopment of the former Arnold Home site located at W. Seven Mile Road and Greenview Avenue, slated to house a new Health and Human Services Governmental Service Agency Office and additional retail offerings, Secs. 61-9-15 and 61-9-35 are proposed to be amended to include "Governmental service agency" as a by-right use in both the B1 (Restricted Business District) zoning classification and the B2 (Local Business and Residential District) zoning classification.
- 3) With the continued development of the Detroit riverfront in conjunction with the non-profit organizations and other governmental entities, which exist to manage and maintain public assets such as Campus Martius, Mt. Elliot Park and Milliken State Park, staff is initiating the proposed text amendment to expand the by-right retail, service, and commercial use related to retail sales clearly incidental and accessory to uses permitted in the PR district to include other

Association on Tuesday, March 19, 2019, at which time support for the proposed text amendment and rezoning of the former Arnold Home site located at 18520 W. Seven Mile Road was offered.

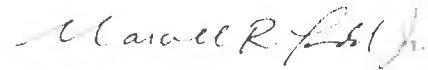
To date, the Commission has received no additional communications via mail or telephone either in opposition or support of the requested text amendments.

## **CONCLUSION**

The CPC recommends approval of the accompanying text changes related to the R5, B1, B2, SD1, SD2 and the PR zoning classifications.

Respectfully submitted,

ALTON JAMES,  
CHAIRPERSON



Marcell R. Todd, Jr, Director  
George A. Etheridge, Staff

## Attachment

cc: Maurice Cox, Director PDD  
Dave Walker, Western District Design Director, PDD  
Karen Gage, PDD  
Esther Yang, PDD  
David Bell, Director, BSEED  
Lawrence Garcia, Corporation Counsel

## **SUMMARY**

**AN ORDINANCE** to amend Chapter 61 of the 1984 Detroit City Code, ‘*Zoning*,’ commonly known as the Detroit Zoning Ordinance, by amending Sec. 61-8-102 to strike “bus rapid transit, streetcar / trolley, or light rail line” and add “a high-frequency transit corridor;” by amending Secs. 61-9-15, 61-9-35, and 61-12-22 to allow for governmental service agency in B1 (Restricted Business District) and B2 (Local Business and Residential District) zoning classifications; by amending Sec. 61-11-126 to allow for other governmental agencies or non-profit agencies with duly recognized authority over land zoned PR to engage in incidental and accessory retail sales; by amending Secs. 61-11-166, 61-11-172, 61-11-186, 61-12-42, and 61-12-227 to allow for assembly hall, banquet hall, and rental hall uses in SD1 (Special Development District – Small-Scale, Mixed Use) and SD2 (Special Development District – Mixed Use) zoning classifications; and by amending Sec. 61-13-69 to remove the maximum lot coverage requirement for mixed-use development on land zoned SD1.

1 **BY COUNCIL MEMBER** \_\_\_\_\_ :

2 **AN ORDINANCE** to amend Chapter 61 of the 1984 Detroit City Code, ‘*Zoning*,’  
3 commonly known as the Detroit Zoning Ordinance, by amending Sec. 61-8-102 to strike “bus  
4 rapid transit, streetcar / trolley, or light rail line” and add “a high-frequency transit corridor;” by  
5 amending Secs. 61-9-15, 61-9-35, and 61-12-22 to allow for governmental service agency in B1  
6 (Restricted Business District) and B2 (Local Business and Residential District) zoning  
7 classifications; by amending Sec. 61-11-126 to allow for other governmental agencies or non-  
8 profit agencies with duly recognized authority over land zoned PR to engage in incidental and  
9 accessory retail sales; by amending Secs. 61-11-166, 61-11-172, 61-11-186, 61-12-42, and 61-12-  
10 227 to allow for assembly hall, banquet hall, and rental hall uses in SD1 (Special Development  
11 District – Small-Scale, Mixed Use) and SD2 (Special Development District – Mixed Use) zoning  
12 classifications; and by amending Sec. 61-13-69 to remove the maximum lot coverage requirement  
13 for mixed-use development on land zoned SD1.

14 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:**

15 **Section 1.** Chapter 61 of the 1984 Detroit City Code, ‘*Zoning*,’ commonly known as the  
16 Detroit Zoning Ordinance, is amended by amending Secs. 61-8-102, 61-9-15, 61-9-35, 61-11-126,  
17 61-11-166, 61-11-172, 61-11-186, 61-12-22, 61-12-42, 61-12-227, and 61-13-69 as follows:

18

## 19 **CHAPTER 61. ZONING**

### 20 **ARTICLE VIII. RESIDENTIAL ZONING DISTRICTS**

#### 21 **DIVISION 6. R5 HIGH DENSITY RESIDENTIAL DISTRICT**

22 **Sec. 61-8-102. Conditional retail, service, and commercial uses.**

23 (1) Bed and breakfast inn

- 1       (2) Hotel
- 2       (3) Motel
- 3       (4) Parking structure
- 4       (5) Private club, lodge, or similar use, non-profit
- 5       (6) Retail sales and personal service in multiple-residential structures, as provided for in Sec. 61-12-231
- 6       of this Code
- 7       (7) School building adaptive reuses—retail, service, and commercial
- 8       (8) Youth hostel/hostel
- 9       (9) All of those uses specified in Sec. 61-11-166 of this Code where located on a zoning lot within one-half (1/2) mile of ~~bus rapid transit, streetcar/trolley, or light rail line a high-frequency transit corridor~~
- 10      (10) The following uses, occupying not more than 3,000 square feet of gross floor area and not having drive-up or drive-through facilities, where located in a building constructed prior to January 1, 2017 and located on a zoning lot not farther than one-half (1/2) mile from ~~bus rapid transit, streetcar/trolley, or light rail line a high-frequency transit corridor~~, strictly limited to:
- 15      (A) Animal-grooming shop
- 16      (B) Art gallery
- 17      (C) Automated teller machine not accessory to another use on the same zoning lot
- 18      (D) Bank
- 19      (E) Bake shop, retail
- 20      (F) Business college or commercial trade school, other than truck driving school
- 21      (G) Office, business or professional
- 22      (H) Personal service establishments, as defined in Sec. 61-16-151 of this Code

- 1      (I) Printing or engraving shops
- 2      (J) Radio, television, or household appliance repair shop
- 3      (K) Restaurants, carry-out and restaurants, fast-food and restaurants, standard as defined in Sec. 61-16-
- 4      162 of this Code, without beer or intoxicating liquor for consumption on the premises
- 5      (L) School or studio of dance, gymnastics, music, art, or cooking
- 6      (M) Tattoo and/or piercing parlor
- 7      (N) Veterinary clinic for small animals

## **ARTICLE IX. BUSINESS ZONING DISTRICTS**

### **DIVISION 2. B1 RESTRICTED BUSINESS DISTRICT**

#### **Sec. 61-9-15. By-right public, civic, and institutional uses.**

- 11     (1) Adult day care center
- 12     (2) Child care center
- 13     (3) Educational institution
- 14     (4) Governmental service agency
- 15     ~~(4)~~<sup>(5)</sup> Hospital or hospice
- 16     ~~(5)~~<sup>(6)</sup> Library
- 17     ~~(6)~~<sup>(7)</sup> Museum
- 18     ~~(7)~~<sup>(8)</sup> Neighborhood center, nonprofit
- 19     ~~(8)~~<sup>(9)</sup> Outdoor recreation facility
- 20     ~~(9)~~<sup>(10)</sup> Religious institution
- 21     ~~(10)~~<sup>(11)</sup> School, elementary, middle/junior high, or high

## **ARTICLE IX. BUSINESS ZONING DISTRICTS**

1                   **DIVISION 3. B2 LOCAL BUSINESS AND RESIDENTIAL DISTRICT**

2                   **Sec. 61-9-35. By-right public, civic, and institutional uses.**

3                   (1) Adult day care center  
4                   (2) Child care center  
5                   (3) Educational institution  
6                   (4) Governmental service agency

7                   ~~(4)(5)~~ Hospital or hospice

8                   ~~(5)(6)~~ Library

9                   ~~(6)(7)~~ Museum

10                  ~~(7)(8)~~ Neighborhood center, nonprofit

11                  ~~(8)(9)~~ Outdoor art exhibition grounds; sculpture gardens

12                  ~~(9)(10)~~ Outdoor recreation facility

13                  ~~(10)(11)~~ Religious institution

14                  ~~(11)(12)~~ Schools, elementary, middle/junior high, or high

15                   **ARTICLE XI. SPECIAL PURPOSE ZONING DISTRICTS AND**

16                   **OVERLAY AREAS**

17                   **DIVISION 7. PR PARKS AND RECREACTION**

18                   **Sec. 61-11-126. By-right retail, service, and commercial uses.**

19                   (1) Commercial recreation facilities, outdoor and indoor, subject to Sec. 61-11-136 of this Code and  
20                   upon resolution of City Council.

(2) Retail sales clearly incidental and accessory to uses permitted in the PR district, such as food service concession stands under contract to the Recreation Department or other governmental agency or non-profit agency with duly recognized authority over the land zoned PR.

# ARTICLE XI. SPECIAL PURPOSE ZONING DISTRICTS AND OVERLAY AREAS

## DIVISION 9. SD1—SPECIAL DEVELOPMENT DISTRICT—SMALL-SCALE,

## MIXED-USE

**Sec. 61-11-166. By-right retail, service, and commercial uses.**

9 (1) Animal-grooming shop

10 (2) Art gallery

11 (3) Assembly hall

12 (3)(4) Automated teller machine without drive-up, drive-through facilities

13 (4)(5) Bake shop, retail

14 (5)(6) Banks without drive-up or drive-through facilities

15 (7) Banquet hall

16 (6)(8) Barber or beauty shop

17 (7)(9) Brewpub or microbrewery or small distillery or small winery, not exceeding three thousand (3,000) square feet and not located adjacent to or across an alley from a lot containing a single- or two-family dwelling that is located on a street other than a major thoroughfare

18 (8)(10) Dry cleaning, laundry, or Laundromat

19 (9)(11) Establishment for the sale of beer or intoxicating liquor for consumption on the premises, not exceeding three thousand (3,000) square feet and not located adjacent to or across an alley from a lot containing a single- or two-family dwelling that is located on a street other than a major thoroughfare

20 (10)(12) Medical or dental clinic, physical therapy clinic, or massage therapy clinic

- 1      (11)(13) Nail salon
- 2      (12)(14) Office, business or professional
- 3      (13)(15) Parking lots or parking areas, accessory for operable private passenger vehicles, not farther than  
4      the maximum distance specified in ARTICLE XIV, DIVISION 1 of this Chapter.
- 5      (14)(16) Pet shop
- 6      (15)(17) Printing or engraving shops not exceeding four thousand (4,000) square feet of gross floor area  
7      with a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of  
8      the goods produced
- 9      (16)(18) Recording studio or photo studio or video studio, no assembly hall
- 10     (17)(19) Recreation, indoor commercial and health club
- 11     (20) Rental hall, not exceeding 3,000 square feet
- 12     (18)(21) Restaurant, carry-out or fast-food, without drive-up or drive-through facilities
- 13     (19)(22) Restaurant, standard, without drive-up or drive-through facilities not located adjacent to or  
14     across an alley from a lot containing a single- or two-family dwelling that is located on a street other than  
15     a major thoroughfare
- 16     (20)(23) School or studio of dance, gymnastics, music, art or cooking
- 17     (21)(24) Shoe repair shop
- 18     (22)(25) Stores of a generally recognized retail nature whose primary business is the sale of new  
19     merchandise, without drive-up or drive-through facilities
- 20     (23)(26) Veterinary clinic for small animals

## **ARTICLE XI. SPECIAL PURPOSE ZONING DISTRICTS AND**

## OVERLAY AREAS

## **DIVISION 9. SD1—SPECIAL DEVELOPMENT DISTRICT—SMALL-SCALE,**

## MIXED-USE

1      **Sec. 61-11-172. Conditional retail, service, and commercial uses.**

2      (1) Bed and breakfast inn

3      (2) Brewpub or microbrewery or small distillery or small winery that exceeds three thousand (3,000)

4      square feet or that is located adjacent to or across an alley from a lot containing a single- or two-family

5      dwelling that is located on a street other than a major thoroughfare

6      (3) Establishment for the sale of beer or intoxicating liquor for consumption on the premises that

7      exceeds three thousand (3,000) square feet or that is located adjacent to or across an alley from a lot

8      containing a single- or two-family dwelling that is located on a street other than a major thoroughfare

9      (4) Hotel

10     (5) Kennel, commercial

11     (6) Parking lots or parking areas, commercial and accessory parking farther than the maximum distance

12     specified in ARTICLE XIV, DIVISION 1 of this Chapter

13     (7) Parking structure having at least sixty percent (60%) of the ground floor level façade abutting a public

14     street dedicated to commercial space or other space oriented to pedestrian traffic

15     (8) Pool or billiard hall

16     (9) Private club, lodge, or similar use

17     (10) Radio or television station

18     (11) Radio, television, or household appliance repair shop

19     (12) Rental hall that exceeds 3,000 square feet

20     ~~(12)~~<sup>(13)</sup> Restaurant, standard located adjacent to or across an alley from a lot containing a single- or two-

21     family dwelling that is located on a street other than a major thoroughfare

22     ~~(13)~~<sup>(14)</sup> Secondhand store and secondhand jewelry store

23     ~~(14)~~<sup>(15)</sup> Specially designated distributor's (SDD) or specially designated merchant's (SDM) establishment

24     ~~(15)~~<sup>(16)</sup> Theater, excluding concert café and drive-in theater, not exceeding one hundred fifty (150) fixed

25     seats

1 (16)(17) Youth hostel/hostel

2 **ARTICLE XI. SPECIAL PURPOSE ZONING DISTRICTS AND**

3 **OVERLAY AREAS**

4 **DIVISION 10. SD2—SPECIAL DEVELOPMENT DISTRICT, MIXED-USE**

5 **Sec. 61-11-186. By-right retail, service, and commercial uses.**

6 (1) Animal-grooming shop

7 (2) Art gallery

8 (3) Assembly hall

9 (3)(4) Automated teller machine not accessory to another use on the same zoning lot, which is stand-  
10 alone, without drive-up or drive-through facilities

11 (4)(5) Bake shop, retail

12 (5)(6) Bank without drive-up or drive-through facilities

13 (7) Banquet hall

14 (6)(8) Barber or beauty shop

15 (7)(9) Brewpub or microbrewery or small distillery or small winery

16 (8)(10) Dry cleaning, laundry, or laundromat

17 (9)(11) Establishment for the sale of beer or intoxicating liquor for consumption on the premises

18 (10)(12) Medical or dental clinic, physical therapy clinic, or massage therapy clinic

19 (11)(13) Mortuary or funeral home, including those containing a crematory

20 (12)(14) Nail salon

- 1    ~~(13)~~(15) Office, business or professional
- 2    ~~(14)~~(16) Parking lots or parking areas, accessory, for operable private passenger vehicles, not farther than  
3    the maximum distance specified in ARTICLE XIV.DIVISION 1 of this Chapter
- 4    ~~(15)~~(17) Pet shop
- 5    ~~(16)~~(18) Printing or engraving shops not exceeding five thousand (5,000) square feet of gross floor area  
6    with a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of  
7    the goods produced
- 8    ~~(17)~~(19) Radio or television station
- 9    ~~(18)~~(20) Recording studio or photo studio or video studio, no assembly hall
- 10    ~~(19)~~(21) Recreation, indoor commercial and health club, excluding golf dome
- 11    (22) Rental hall
- 12    ~~(20)~~(23) Restaurant, carry-out or fast-food, located in a multi-story building and integrated into a mixed-  
13    use or multi-tenant development, and without drive-up or drive-through facilities
- 14    ~~(21)~~(24) Restaurant, standard without drive-up or drive-through facilities
- 15    ~~(22)~~(25) Retail sales and personal service in business and professional offices
- 16    ~~(23)~~(26) Retail sales and personal service in multiple-residential structures, as provided for in Sec. 61-12-  
17    231 of this Code
- 18    ~~(24)~~(27) School or studio of dance, gymnastics, music, art, or cooking
- 19    ~~(25)~~(28) Shoe repair shop
- 20    ~~(26)~~(29) Stores of a generally recognized retail nature whose primary business is the sale of new  
21    merchandise, without drive-up or drive-through facilities

- 1    (27)(30) Theater, excluding concert café and drive-in theaters, not exceeding one hundred fifty (150)
- 2    fixed seats
- 3    (28)(31) Veterinary clinic for small animals

## **ARTICLE XII. USE REGULATIONS**

## DIVISION 1. USE TABLE

| Use Category | Specific Land Use | Residential             | Business            | Industrial          | Special and Overlay |                     |                     |                     |                   |  |  |  |  |  | Standards<br>General<br>(Art. XII,<br>Div. 2)<br>Specific<br>(Art. XII,<br>Div. 3) |
|--------------|-------------------|-------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|-------------------|--|--|--|--|--|--|
|              |                   | R R R R R R 1 2 3 4 5 6 | B B B B 1 2 3 4 5 6 | B B M M 1 2 3 4 5 6 | M M M M 1 2 3 4 5 6 | P P P P 1 2 3 4 5 6 | P T P C 1 2 3 4 5 6 | W D M R 1 1 2 3 4 5 | S D D D 1 2 3 4 5 |  |  |  |  |  |  |

### Subdivision C. Public, Civic and Institutional Uses

|   |   |                 |               |             |             |                 |                 |                 |                 |     |   |   |     |                |   |
|---|---|-----------------|---------------|-------------|-------------|-----------------|-----------------|-----------------|-----------------|-----|---|---|-----|----------------|---|
| <b>Sec. 61-12-22.</b><br><b>Community service.</b>        | Customs office  |                 |               |             | R           |                 |                 |                 | L               | R   | R |   | C   | Sec. 61-12-136 |   |
|   | Fire or police station, post office, court house, and similar public building | C C C C C C     | C C C C R R   | R R R R R R | R R R R R R | R R R R R R     | R R R R R R     | R R R R R R     | L               | R   | R | R | C   |                |   |
|   | Governmental service agency   |                 |               |             |             |                 |                 |                 | L               | R   | R | R | C   |                |   |
|   | Neighborhood center, nonprofit  | C C R R R R R C | R R R R R R C | R R R R C C | R R R R C C | R R R R C C     | R R R R C C     | R R R R C C     | L               | R   | R | R | C   |                |   |
|   | Substance abuse service facility  |                 |               |             |             |                 |                 |                 | C               | C   | C | C | C   |                |   |
| <b>Subdivision D. Retail, Service and Commercial Uses</b> |   |                 |               |             |             |                 |                 |                 |                 |     |   |   |     |                |   |
| <b>Sec. 61-12-42.</b><br><b>Assembly.</b>                 | Assembly hall   |                 |               |             | R R R R R R | R R R R R R     | R R R R R R     | R R R R R R     | L               | R   | R | R | R   | Sec. 61-12-155 |   |
|   | Banquet hall  |                 |               |             |             |                 |                 |                 |                 | C R | R | R | R   |                |   |
|   | Dance hall, public  |                 |               |             |             | C C C R R R R R | C C C R R R R R | C C C R R R R R | C C C R R R R R | L   | C | C | C   |                | C |
|   | Private club, lodge, or similar use   |                 |               |             |             |                 | C C C C C C     | C C C C C C     | C C C C C C     | L   | R | R | C C |                | R |
|   |   |                 |               |             |             |                 |                 |                 |                 |     |   |   |     |                |   |

### Subdivision D. Retail, Service and Commercial Uses

|   |                                     |  |  |  |                 |                 |                 |                 |   |     |   |     |   |                |  |
|---|-------------------------------------|--|--|--|-----------------|-----------------|-----------------|-----------------|---|-----|---|-----|---|----------------|--|
| <b>Sec. 61-12-42.</b><br><b>Assembly.</b>   | Assembly hall                       |  |  |  | R R R R R R     | R R R R R R     | R R R R R R     | R R R R R R     | L | R   | R | R   | R | Sec. 61-12-155 |  |
|   | Banquet hall                        |  |  |  |                 |                 |                 |                 |   | C R | R | R   | R |                |  |
|   | Dance hall, public                  |  |  |  | C C C R R R R R | C C C R R R R R | C C C R R R R R | C C C R R R R R | L | C   | C | C   | C |                |  |
|   | Private club, lodge, or similar use |  |  |  |                 | C C C C C C     | C C C C C C     | C C C C C C     | L | R   | R | C C | R |                |  |
|   |                                     |  |  |  |                 |                 |                 |                 |   |     |   |     |   |                |  |
| <b>P; RU; SPC;</b><br><b>Sec. 61-12-160</b> |                                     |  |  |  |                 |                 |                 |                 |   |     |   |     |   |                |  |
| <b>Sec. 61-12-224</b>                       |                                     |  |  |  |                 |                 |                 |                 |   |     |   |     |   |                |  |

| Rental hall | C R R R R R | L | C R | C | R | C/ | R | Sec. 61-12-<br>431 |
|-------------|-------------|---|-----|---|---|----|---|--------------------|
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|             |             |   |     |   |   |    |   |                    |

## **ARTICLE XII. USE REGULATIONS**

## DIVISION 3. GENERAL USE STANDARDS

**Subdivision E. Retail, Service and Commercial Uses; Generally,  
continued**

**Sec. 61-12-227.      Rental halls.**

6 Rental halls shall be subject to the following provisions:

7 (1) Rental halls shall be prohibited within five hundred (500) feet of land zoned R1, R2, R3, R4, R5,  
8 R6, or residential PD. Said prohibition shall be waived upon presentation to the Buildings, Safety  
9 Engineering and Environmental Department of a verified petition requesting such waiver, signed  
10 by two-thirds (2/3) of those person owning, residing, or doing business on land, other than vacant  
11 land that is designated by the City Assessor as "unimproved," within five hundred (500) feet of the  
12 proposed location;

13 (2) In the Central Business District, rental halls shall be prohibited within one thousand (1,000) feet of  
14 any other rental hall or public dance hall; ~~and~~  
15 (3) Rental halls are subject to the licensing requirements of Chapter 46 of this Code; ~~and~~  
16 (4) Rental halls, not exceeding 3,000 square feet are permitted by-right in the SD1 District; rental halls  
17 that exceed 3,000 square feet are permitted on a conditional basis in SD1. This provision may not be  
18 waived by the Board of Zoning Appeals.

## ARTICLE XIII. INTENSITY AND DIMENSIONAL STANDARDS

## DIVISION 1. TABLES OF INTENSITY AND DIMENSIONAL STANDARDS

## **Subdivision G. Special Purpose Zoning Districts**

| Use               | Minimum Lot Dimensions |              | Minimum Setbacks (feet) |                |                | Max. Height (feet) | Max. Lot Coverage (%)         | Max FAR | Add'l. Regs. |
|-------------------|------------------------|--------------|-------------------------|----------------|----------------|--------------------|-------------------------------|---------|--------------|
|                   | Area (sq ft)           | Width (feet) | Front                   | Side*          | Rear           |                    |                               |         |              |
| Section Reference | Sec. 61-113-142        |              | Sec. 61-16-172          | Sec. 61-16-172 | Sec. 61-13-151 | Sec. 61-13-152     | Sec. 61-13-156 Sec. 61-13-157 |         |              |

**Sec. 61-13-69 SD1.**

|   |       |    |                     |                     |                     |                     |            |  |  |
|---|-------|----|---------------------|---------------------|---------------------|---------------------|------------|--|--|
| Gas regulator stations, electric transformer stations, telephone exchange buildings.      |       |    | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 |                     |            |  |  |
| Establishment for the sale of beer or intoxicating liquor for consumption on the premises |       |    | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 |            |  |  |
| Fraternity or sorority houses   | 7000  | 70 | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 |            |  |  |
| Hotels  | 7000  | 70 | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 |            |  |  |
| Libraries or museums  | 10000 | 70 | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 |            |  |  |
| Marinas   |       |    | 20                  | 20                  |                     |                     |            |  | Sec. 61-13-91                          |
| Multiple-family dwellings   | 7000  | 70 | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 | (0.07 RSR) |  |  |
| Neighbor-hood centers (nonprofit)   | 7000  | 70 | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 |            |  |  |
| Outdoor recreation facilities   |       |    |                     |                     |                     |                     |            |  | Sec. 61-13-131                         |
| Parking lots or parking areas   |       |    | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 |                     |            |  | Article XIV, Division 1, Subdivision I |
| Parking structures  |       |    | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 |            |  | Sec. 61-13-103                         |
| Personal service establishment as defined in Sec. 61-16-151                               |       |    | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 |            |  |  |

|                       |  |  |                     |                     |                     |                     |  |  |  |
|-----------------------|--|--|---------------------|---------------------|---------------------|---------------------|--|--|--|
| Radio, television, or |  |  | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 | See: Sec. 61-11-175 |  |  |  |
|-----------------------|--|--|---------------------|---------------------|---------------------|---------------------|--|--|--|

|  |       |    |                     |                              |                         |  |                |      |                |
|--|-------|----|---------------------|------------------------------|-------------------------|--|----------------|------|----------------|
| household appliance repair shop  |       |    |                     |                              |                         |  |                |      |                |
| Religious institutions   | 10000 | 70 | See: Sec. 61-11-175 | See: Sec. 61-11-175          | See See: Sec. 61-11-175 | See: Sec. 61-11-175                              |                |      |                |
| Residential use combined in structures with permitted (first floor) commercial uses                  |       |    | See: Sec. 61-11-175 | See: Sec. 61-11-175          | See: Sec. 61-11-175     | 50, not to exceed 4 stories; See: Sec. 61-11-175 |                |      |                |
| Restaurants  |       |    | See: Sec. 61-11-175 | See: Sec. 61-11-175          | See: Sec. 61-11-175     | See: Sec. 61-11-175                              |                |      |                |
| Rooming houses   | 7000  | 70 | See: Sec. 61-11-175 | See: Sec. 61-11-175          | See: Sec. 61-11-175     | See: Sec. 61-11-175                              | (0.07 RSR)     |      |                |
| Schools  | 10000 | 70 | See: Sec. 61-11-175 | See: Sec. 61-11-175          | See: Sec. 61-11-175     | See: Sec. 61-11-175                              |                |      |                |
| Single-family dwellings; religious residential facilities  | 5000  | 50 | 20                  | 4 ft minimum/ 14 ft combined | 30                      | 35   |                |      |                |
| Specially designated distributor's (SDD) establishment   |       |    | See: Sec. 61-11-175 | See: Sec. 61-11-175          | See: Sec. 61-11-175     | See: Sec. 61-11-175                              |                |      |                |
| Specially designated merchant's (SDM) establishment  |       |    | See: Sec. 61-11-175 | See: Sec. 61-11-175          | See: Sec. 61-11-175     | See: Sec. 61-11-175                              |                |      |                |
| Stores of a generally recognized retail nature whose primary business is the sale of new merchandise |       |    | See: Sec. 61-11-175 | See: Sec. 61-11-175          | See: Sec. 61-11-175     | See: Sec. 61-11-175                              |                |      |                |
| Town houses (attached group)   | 7000  | 70 | 20                  | Formula A                    | 30                      |  | 35             | 1.50 | Sec. 61-13-106 |
| Agricultural uses  |       |    | See: Sec. 61-12-329 |                              |                         |  | Sec. 61-12-338 |      |                |
| All mixed use  |       |    | See: Sec. 61-11-175 | See: Sec. 61-11-175          | See: Sec. 61-11-175     | 50, not to exceed 4 stories; See: Sec. 61-11-175 | 35             |      |                |
| All other uses, other than mixed use   | 7000  | 70 | See: Sec. 61-11-175 | See: Sec. 61-11-175          | See: Sec. 61-11-175     | 35   |                |      |                |

1       **Section 2.** All ordinances or parts of ordinances in conflict with this ordinance are repealed.

2       **Section 3.** This ordinance is declared necessary for the preservation of the public peace,

3       health, safety, and welfare of the people of the City of Detroit.

4       **Section 4.** This ordinance shall become effective on the eighth (8<sup>th</sup>) day after publication in

5       accordance with MCL 125.3401(6) and Section 4-118, paragraph 3, of the 2012 Detroit City

6       Charter.

7       **Approved as to Form Only:**

8

9       \_\_\_\_\_

10      **Lawrence T. Garcia**

11      **Corporation Counsel**

Alton James  
Chairperson  
  
Vice Chair/Secretary  
  
Marcell R. Todd Jr.  
Director

**City of Detroit**

**CITY PLANNING COMMISSION**  
208 Coleman A. Young Municipal Center  
Detroit, Michigan 48226  
Phone: (313) 224-6225 Fax: (313) 224-4336  
e-mail: cpc@detroitmi.gov

CITY PLANNING COMMISSION

Brenda Goss Andrews  
Lisa Whitmore Davis  
Damion W. Ellis  
David Esparza, AIA, LEED  
Gregory Pawlowski  
Frederick E. Russell, Jr.  
Angy Webb

June 7, 2019

**HONORABLE CITY COUNCIL**

**RE:** Request of the Detroit Building Authority for PC (Public Center) Special District Review of proposed demolition of 25-33 Washington Blvd. – Joe Louis Arena (**RECOMMEND APPROVAL**)

**REQUEST**

The City Planning Commission (CPC) has received a request from the Detroit Building Authority for PC (Public Center) Special District Review of proposed demolition of 25-33 Washington Blvd. – Joe Louis Arena. This request is being made consistent with the provisions of Section 61-3-182 of the Detroit Zoning Ordinance.

**BACKGROUND**

As You are aware, part of the City's bankruptcy agreement included the demolition of Joe Louis Arena. Although numerous details of the demolition have been reviewed and approved by Your Honorable Body, including the acceptance of funds from the state for the purpose of demolition, for the brownfield plan and the bond resolution, PC Special District Review is also required per Section 61-11-76 of the Zoning Ordinance as the proposed demolition is an exterior alteration.

**REVIEW & ANALYSIS**

***PC District Review Criteria***

There are eighteen PC District Review Criteria listed in Section 61-11-77 of the Zoning Ordinance. As this is a demolition and does not involve any construction or development, the review criteria do not apply.

**RECOMMENDATION**

CPC staff recommends approval of the proposed demolition of Joe Louis Arena consistent with prior approvals by Your Honorable Body. Any future redevelopment of the subject site will return for review and approval.

Respectfully submitted,

ALTON JAMES, CHAIRPERSON

*Alton James*  
Marcell R. Todd, Jr., Director  
Jamie J. Murphy, Staff

# BUILDING PERMIT APPLICATION

CITY OF DETROIT

BUILDINGS, SAFETY ENGINEERING & ENVIRONMENTAL DEPARTMENT  
2 WOODWARD AVENUE, ROOM 409, DETROIT, MICHIGAN 48226

Expedited Plan Review Request (subject to additional fees)

Date: 6/4/19

## Property Information

Address: 25-33 WASHINGTON AKA 19 STEVE YZERMAN DR. Floor: \_\_\_\_\_ Suite#: \_\_\_\_\_ Stories: \_\_\_\_\_  
AKA: JOE LOUIS ARENA Lot(s): \_\_\_\_\_ Subdivision: CASS FARM  
Parcel ID#(s): \_\_\_\_\_ Total Acres: \_\_\_\_\_ Lot Width: \_\_\_\_\_ Lot Depth: \_\_\_\_\_  
Current Legal Use of Property: \_\_\_\_\_ Proposed Use: \_\_\_\_\_  
Are there any existing buildings or structures on this parcel?  Yes  No

## Project Information

### Permit Type

New  Alteration  Addition  Demolition  Correct Violations  Foundation Only  Temporary Use  
 Change of Use  Other: \_\_\_\_\_  
 Revision to Original Permit #: \_\_\_\_\_ (original permit has been issued and is active)

**Description of Work** (Describe in detail proposed work and use of property, attach work list)

DEMOLITION OF EXISTING BLDG.

MBC use change  No MBC use change

**Included Improvements** (Check all applicable; these trade areas require separate permit applications)

HVAC/Mechanical  Electrical  Plumbing  Fire Sprinkler System  Fire Alarm

### Structure Type

New Building  Existing Structure  Tenant Space  Garage/Accessory Building  Other \_\_\_\_\_

Size of Structure to be Demolished (LxWxH): 275x375x60 = 6,187,500 cubic feet

Construction involves changes to the floor plan? (e.g. interior demolition or constructing new walls)  Yes  No

Use Group: AS Type of Construction (per current MI Bldg Code Table 601): \_\_\_\_\_

**Estimated Cost of Construction** \$ \_\_\_\_\_ **By Contractor** \$ \_\_\_\_\_ **By Department** \_\_\_\_\_

### Structure Use

Residential-Number of Units: \_\_\_\_\_  Office-Gross Floor Area: \_\_\_\_\_  Industrial-Gross Floor Area: \_\_\_\_\_

Commercial-Gross Floor Area: \_\_\_\_\_  Institutional-Gross Floor Area: \_\_\_\_\_  Other-Gross Floor Area: \_\_\_\_\_

Proposed no. of employees: \_\_\_\_\_ List materials to be stored in the building: \_\_\_\_\_

PLOT PLAN SHALL BE submitted on separate sheets and shall show all easements and measurements (must be correct and in detail).

SHOW ALL streets abutting lot, indicate front of lot, show all buildings, existing and proposed distances to lot lines.

(Building Permit Application Continues on Next Page)

Intake by: Moore Date: 6/4/19 Fees Due: \_\_\_\_\_ DngBld?  No

**Permit Description** AKA (JOE LOUIS ARENA) WRECK AND REMOVE  
COMMERCIAL BUILDING, REGRADE LAND

Current Legal Land Use: ARENA Proposed Use: VACANT LAND

Permit#: 71963 Date Permit Issued: 9-24-86 Permit Cost: \$ \_\_\_\_\_

Zoning District: PC Zoning Grant(s): \_\_\_\_\_ Lots Combined?  Yes  No (attach zoning clearance)

**Revised Cost** (revised permit applications only) Old \$ \_\_\_\_\_ New \$ \_\_\_\_\_

**STRUCTURAL:** \_\_\_\_\_ **DATE:** \_\_\_\_\_ **NOTES:** \_\_\_\_\_

**ZONING:** \_\_\_\_\_ **DATE:** \_\_\_\_\_ **NOTES:** \_\_\_\_\_

**OTHER:** \_\_\_\_\_ **DEPT:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

6,187,500  
NO BASEME-

# BUILDING PERMIT APPLICATION

CITY OF DETROIT BUILDINGS, SAFETY ENGINEERING & ENVIRONMENTAL DEPARTMENT

Page 2

## Identification (All Fields Required)

Property Owner/Homeowner

Property Owner/Homeowner is Permit Applicant

Name: DBA

Address: 1301 THIRD ST. STE. 328

Phone: 313.224.7238

Driver's License#:

Company Name: DETROIT BLDG. AUTHORITY

City: DETROIT State: MI Zip: 48226

Mobile:

Email:

Contractor  Contractor is Permit Applicant

Representative Name: R. Cappelli Company Name: ADAMO GROUP

Address: 320 E. 7 MILE RD. City: DETROIT State: MI Zip: 48203

Phone: 313.892.7330 Mobile: \_\_\_\_\_ Email: WWW.adamogroup.com

City of Detroit License#: LC2001-00137, B23003

Tenant or Business Occupant  Tenant is Permit Applicant

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Architect/Engineer/Consultant  Architect/Engineer/Consultant is Permit Applicant

Name: \_\_\_\_\_ State Registration#: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Mobile: \_\_\_\_\_ Email: \_\_\_\_\_

## Homeowner Affidavit (Only required for residential permits obtained by homeowner.)

I hereby certify that I am the legal owner and occupant of the subject property and the work described on this permit application shall be completed by me. I am familiar with the applicable codes and requirements of the City of Detroit and take full responsibility for all code compliance, fees and inspections related to the installation/work herein described. I shall neither hire nor sub-contract to any other person, firm or corporation any portion of the work covered by this building permit.

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Homeowner

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ A.D. \_\_\_\_\_ County, Michigan

Signature: \_\_\_\_\_ My commission expires: \_\_\_\_\_  
Notary Public

## Permit Applicant Signature

I hereby certify that the information on this application is true and correct. I have reviewed all deed restrictions that may apply to this construction and am aware of my responsibility thereunder. I certify that the proposed work is authorized by the owner of record and I have been authorized to make this application as the property owner(s) authorized agent. Further I agree to conform to all applicable laws and ordinances of jurisdiction. I AM AWARE THAT A PERMIT WILL EXPIRE WHEN NO INSPECTIONS ARE REQUESTED AND CONDUCTED WITHIN 180 DAYS OF THE DATE OF ISSUANCE OR THE DATE OF THE PREVIOUS INSPECTION AND THAT EXPIRED PERMITS CANNOT BE

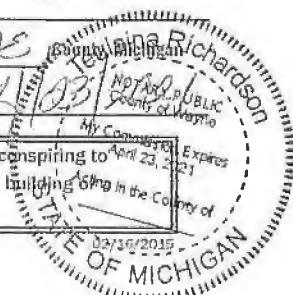
Print Name: DONALD PLUNG Signature: Donald Plung Date: 04.29.19  
Permit Applicant

Driver's License#: \_\_\_\_\_ Expiration: \_\_\_\_\_

Subscribed and sworn to before me this 20 day of April 2019 A.D. Wayne County, Michigan

Signature: Donna Richardson My commission expires: 11/03/2019  
Notary Public

Section 23a of the state construction code act of 1972, 1972PA230, MCL 125.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or structure. Violators of Section 23a are subject to civil fines.





CITY OF DETROIT  
HOUSING AND REVITALIZATION DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 908  
DETROIT, MICHIGAN 48226  
(313) 224-6380 • TTY:711  
(313) 224-1629  
[WWW.DETROITMI.GOV](http://WWW.DETROITMI.GOV)

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June 06, 2019

JUN 06 2019

Detroit City Council  
1340 Coleman A. Young Municipal Center  
Detroit, MI 48226

**RE: Annual HOME, CDBG, NSP Awards  
Addition to Award – Peterboro Arms**

Honorable City Council:

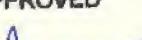
The City of Detroit ("City"), through the Housing and Revitalization Department ("HRD"), makes annual funding available for "ready-to-proceed projects" from HOME, CDBG and NSP federal funds allocated to the City through the U.S. Department of Housing and Urban Development ("HUD"). HRD has continued to work closely with HUD to meet required commitment and disbursement deadlines for ongoing projects approved by the City.

In support of affordable housing opportunities, HRD is hereby requesting approval to increase the funding of a previously approved project as follows:

1. Peterboro Arms (Additional \$1,000,000) – \$532,000 in additional HOME funds and \$468,000 from the Affordable Housing Development & Preservation Fund will be spent on this project to cover increased construction costs and a reduction in pricing for Historic Tax Credits being used for the project.

We hereby request that your Honorable Body adopt the attached resolution that (1) approves the aforementioned loan increase and (2) authorizes the Director of HRD to execute such loan documents as may be necessary or convenient to complete the transaction.

Respectfully submitted,  
  
Donald Rencher  
Director

|   |          |
|---|----------|
| APPROVED  |          |
|  |          |
| BUDGET DIRECTOR   |          |
| Date  | 10/10/01 |

## Attachments

cc: S. Washington, Mayor's Office  
K. Vickers, Associate Director of Housing Underwriting

## **RESOLUTION**

**BY COUNCIL MEMBER:** \_\_\_\_\_

**WHEREAS**, City of Detroit ("City"), through the Housing and Revitalization Department ("HRD"), makes annual funding available for "ready-to-proceed projects" from HOME, CDBG and NSP federal funds allocated to the City through the U.S. Department of Housing and Urban Development ("HUD") for the purpose of creating affordable housing opportunities; and

**WHEREAS**, the City has previously approved allocations of HOME funds to the Peterboro Arms Project for a total amount of \$1,250,000 with the authority to vary such amount by not more or less than 10% ("Previous Loan Amount"); and

**WHEREAS**, the City has increased the Previous Loan Amount by 10% to a total amount of \$1,375,000 pursuant to the above referenced authority; and

**WHEREAS**, the City now desires to further increase the Previous Loan Amount by \$1,000,000 to a total amount of \$2,375,000 consistent with the attached Exhibit 1: Changes to Existing HOME, CDBG and NSP Awards incorporated herein ("Exhibit 1"); now therefore be it

**RESOLVED**, that Detroit City Council hereby approves an increase of the Previous Loan Amount by \$1,000,000 to a total loan amount of \$2,375,000 for the Peterboro Arms Project consistent with Exhibit 1; and be it further

**RESOLVED**, that Detroit City Council hereby approves HRD's use of \$532,000 from Appropriation No. 10821 (HOME) and \$468,000 from Appropriation No. 20518 (Affordable Housing Development & Preservation Fund) towards the approved increase of \$1,000,000 to the Peterboro Arms Project; and be it further

**RESOLVED**, that the HRD Director, or his designee, is authorized to process, prepare, and execute any and all loan and grant documents necessary or convenient to close, secure and use HOME and CDBG funds according to HUD regulations consistent with the awards in Exhibit 1; and be it finally

**RESOLVED**, that the Budget and Finance Directors are hereby authorized to increase the necessary accounts and honor expenditures, vouchers and payrolls when presented in accordance with the foregoing communication and standard City procedures.

**A Waiver of Reconsideration is requested.**

## Exhibit 1: Changes to Existing HOME, CDBG, and NSP Awards

*New Awards, Loan Modifications and/or Loan Subordinations (Various Developers)*

| DEVELOPER OR BORROWER                                       | PROJECT DESCRIPTION  | PROJECT ACTION  | TOTAL DEVELOPMENT COST | ORIGINAL ALLOCATION | New or Revised ALLOCATION                                 | COMMENTS   |
|---|--|---|------------------------|---------------------|---|--|
| Peterboro Arms LHDA LP<br>26 Peterboro<br>Detroit, MI 48201 | Peterboro Arms<br>26 Peterboro<br>Detroit, MI 48201<br><br>56 units<br>100% affordable | Increase the supportive housing project's total amount of allocation by \$532,000 in HOME and \$468,000 in Affordable Housing Development and Preservation Fund | \$19,199,234           | \$1,375,000 HOME    | \$1,907,000 HOME<br>\$468,000 AHD&PF<br>\$2,375,000 TOTAL | Due to significant increases in construction costs and reduction in pricing for Historic Tax Credits, the project incurred a \$1.7MM gap in financing. Non-profit Coalition on temporary Shelters (COTS) provided a temporary bridge loan in order for the project to close. |



City of Detroit  
Department of Public Works

39  
Coleman A Young Municipal Center  
2 Woodward Ave, Suite 611  
Detroit, MI 48226  
(313) 224-3901  
[www.detroitmi.gov](http://www.detroitmi.gov)

June 6, 2019

Honorable City Council:

RE: Petition No. 845: Friend and Associate, 501 Monroe, requests permission to provide Outdoor Café Service. This service will be seasonal, and will convene April 1<sup>st</sup> through November 30<sup>th</sup>, yearly with yearly administrative review, from the date of your Honorable Body's approval.

The Department of Public Works (DPW) who has jurisdiction over temporary encroachment in the public right-of-way, for Outdoor Café use, has approved this request contingent upon the petitioner's compliance with applicable City ordinance related to outdoor café activities and the remittance of the annual use-permit fee to the DPW.

The Detroit Health Department (DHD) has approved this petition, subject to the petitioner's strict adherence to the 199 Food Code, Food Law of 2000 and City Ordinance, Chapter 21. No outdoor grilling is permitted without approval from the Health Department's Food Safety Division.

Approval from the Detroit Police Liquor License Bureau is contingent upon the final action given by the City Council towards the above-referenced petition. Prior approval from the Central District Precinct does not cover serving liquor in outdoor café area until the Detroit Police Liquor License Bureau has given approval.

The Department of Public Works/ Traffic Engineering Division (DPW/TED) has approved this request contingent upon the petitioner's compliance with provided DPW/TED instructions.

The Detroit Police Department has reviewed the petitioner's request and issued their approval with no objections.

The Legislative Policy Division has reviewed the petitioner's request and issued their approval with no objections.

It is the recommendation of DPW that the petitioner's request be granted subject to the terms and conditions provided in the attached Resolution and that this service will convene April 1<sup>st</sup> through November 30<sup>th</sup> yearly with yearly administrative review from the date of your Honorable Body's approval.

Respectfully submitted,

*Chisara Brown*

Chisara Brown, Mobility Planner

CC: Caitlin Malloy Marcon, Deputy Director Complete Streets Division



City of Detroit  
Department of Public Works

Coleman A Young Municipal Center  
2 Woodward Ave, Suite 611  
Detroit, MI 48226  
(313) 224-3901  
[www.detroitmi.gov](http://www.detroitmi.gov)

PROVIDED, That the designated outdoor seating area shall be properly identified through the use of clear delineation in order to regulate and control the serving of liquor within the perimeter of the café; and

PROVIDED, That the outline and location of the outdoor café is not to be different from the site plan approved by the DPW/CSD; and

PROVIDED, That if any tent, canopy or other enclosure is to be utilized on the subject site, the applicant shall secure prior approval from Building, Safety Engineering & Environmental Department and the Department of Public Works/City Engineering Division; and

PROVIDED, That all physical barriers and fixtures shall be removed from the public right-of-way during the months of non-operation and placed in storage; and

PROVIDED, That a certified copy of this Resolution shall be recorded with the Office of the Register of Deeds for Wayne County at the "permittee's" expense;

Adopted as follows:

Yea-

Nay-

# City of Detroit

Janice M. Winfrey  
*City Clerk*

## OFFICE OF THE CITY CLERK

Caven West  
*Deputy City Clerk/Chief of Staff*

## DEPARTMENTAL REFERENCE COMMUNICATION

*Wednesday, April 24, 2019*

*To: The Department or Commission Listed Below*  
*From: Janice M. Winfrey, Detroit City Clerk*

---

The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

---

PLANNING AND DEVELOPMENT DEPARTMENT      DPW - CITY ENGINEERING DIVISION

**845**      *Patricia Chylinski, request a Seasonal Outdoor Café Permit for 501-511 Monroe.*

HOUSING & REVITALIZATION DEPARTMENT  
2 Woodward Avenue, Suite 908, Detroit, MI 48226  
(313) 224-6380

# 845



CITY OF DETROIT

### APPLICATION FOR SEASONAL OUTDOOR CAFÉ PERMIT:

NOTE: ALL APPLICANTS MUST SUBMIT ZONING CLEARANCE WITH THIS FORM BEFORE YOU CAN BEGIN OUTDOOR CAFÉ PROCESS. PLEASE PROCEED TO BSEED – ZONING SECTION, SUITE 401.

#### PETITIONER'S INFORMATION:

Patricia Chylinski 313 434 2761 PattiKC@comcast.net  
(PETITIONER'S NAME) (TELEPHONE NUMBER) (EMAIL ADDRESS)  
494 Shoreham Grosse Pt Woods MI 48236  
(PETITIONER'S ADDRESS) (CITY) (STATE) (ZIP)

#### OWNER'S INFORMATION:

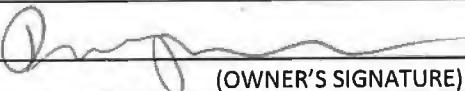
James Pappas 313 960-9484 Jimpheliconholdings.com  
(OWNER'S NAME) (TELEPHONE NUMBER) (EMAIL ADDRESS)  
501 Monroe Detroit MI 48226  
(OWNER'S ADDRESS) (CITY) (STATE) (ZIP)

OUTDOOR CAFÉ INFORMATION: (CAFÉ NAME) Friend & Associate  
501-511 Monroe Detroit MI 48226  
(CAFÉ ADDRESS) (CITY) (STATE) (ZIP)

TYPE OF OUTDOOR CAFÉ:  SEASONAL – PROCEED TO H&RD, SUITE 908  
 PERMANENT – PROCEED TO DPW/CITY ENGINEERING, SUITE 642  
 ON YOUR OWN PROPERTY – PROCEED TO BSEED, SUITE 401

WILL OUTDOOR CAFÉ BE:  OPEN  ENCLOSED  FIXED AWNING

DO YOU SERVE ALCOHOL?  YES  NO

 (OWNER'S SIGNATURE) 4-18-19 (DATE)

[FOR DEPARTMENT USE ONLY]

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

DENIED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

#### REQUIRED ATTACHMENTS TO BE SUBMITTED WITH APPLICATION (HARD COPY OR PDF):

- 11" x 17" Site Plan of 1"=10' Scale, depicting dimensions of seating area and its setbacks from the street curb and any obstructions in the right-of-way, (i.e. parking meter, tree trunk and light pole). A Location Map with the north arrow of the subject site should be provided on the site plan.
- 11" x 17" Floor Plan of 1/8" or 1/4"=1' Scale, showing layout of the tables and chairs, service corridor dimensions and location. In addition, show elevation, type and height of fencing including fastening details.
- 11" x 17" Elevation Plan of 1/4"=1' Scale, and photos for section of the right-of-way and building in question.

(See Attached Sample Plans)

**WRITTEN ACCEPTANCE OF THE TERMS AND CONDITIONS OF  
DETROIT CITY COUNCIL RESOLUTION  
PETITION NUMBER \_\_\_\_\_, ADOPTED \_\_\_\_\_**

CPA Monroe, LLC dba Friend Associate, Delmar Detroit<sup>+</sup> whose address is 501 Monroe St Detroit MI 48226,

(hereinafter referred to as the "Permittee") do hereby accept the terms and conditions of the City Council Resolution granting Petition Number \_\_\_\_\_, and agrees to comply with its requirements; and further, that pursuant to the said Resolution, Permittee does hereby agree to defend, indemnify and save harmless the City of Detroit from any and all claims, liabilities, obligations, penalties, costs, charges, demands, losses, damages, or expenses (including without limitation, fees, and expenses of attorneys, expert witness and other consultants) that may be imposed upon, incurred by or asserted against the City of Detroit or its departments, officers, employees, or agents by reason of the issuance of said permit(s), or the performance or non-performance by the Permittee of the terms of the permit(s) hereof, or that may rise out of its activities described in said Resolution by Permittee and its personnel, agents, representatives and employees.

Permittee agrees to waive, release and discharge the City of Detroit or its departments, officers, employees, or agents from any and all liability, claims, demands, and causes of action whatsoever, legal and equitable, because of damages, losses, or injuries to Permittee or Permittee's property or both, arising from or related to Permittee's activities described in said Resolution. Permittee agrees and covenants not to sue the City of Detroit or its departments, officers, employees, or agents, and to refrain from instituting,

continuing, presenting, subrogating, collecting or in any way aiding or proceeding upon any claims, judgments, debts, causes of action, suits and proceedings of any kind at law or in equity arising from or related to Permittee's activities described in said Resolution.

Wherefore, we have hereunto set our hands on this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_\_

Witnessed By: \_\_\_\_\_

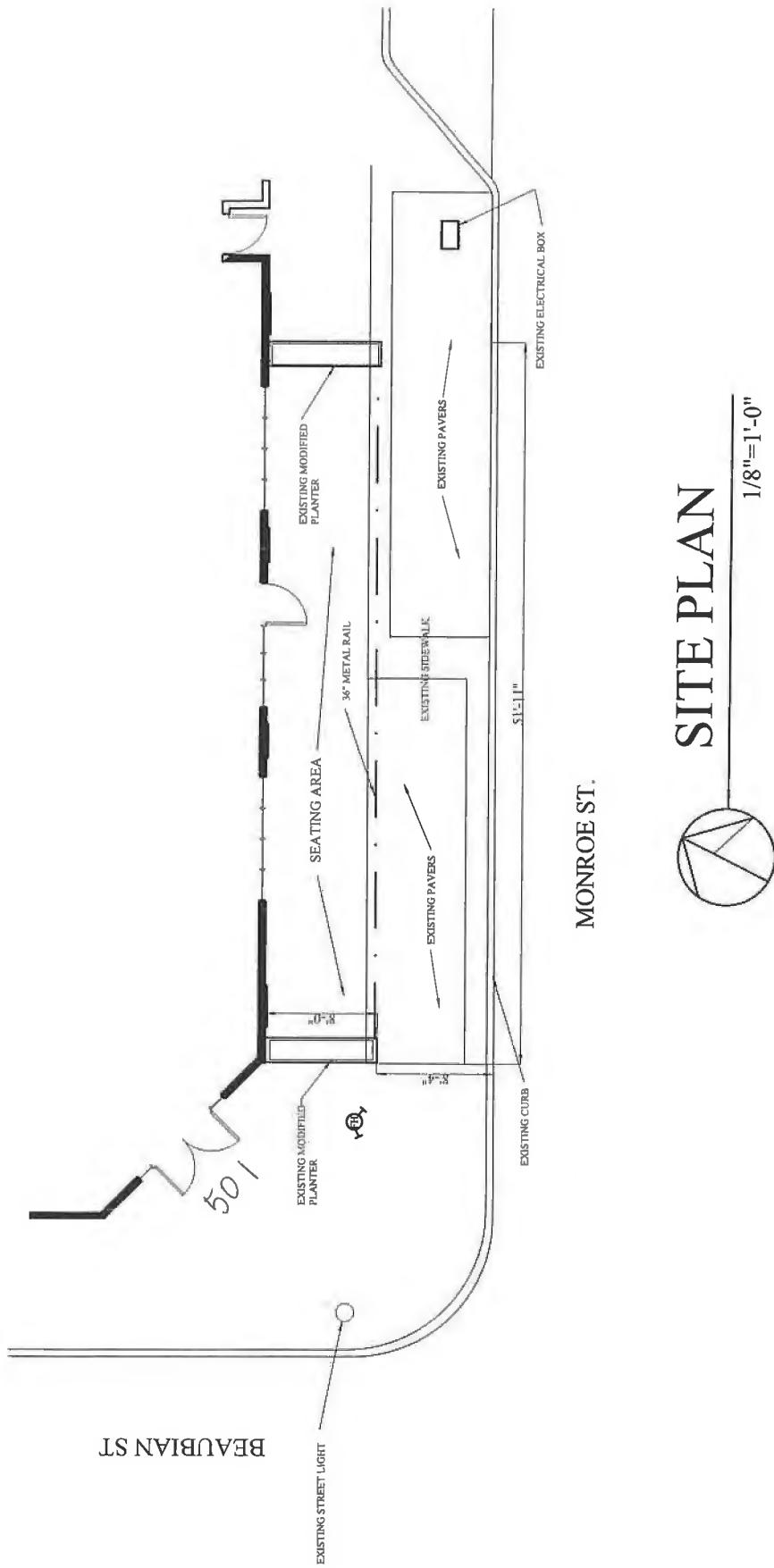
Permittee: \_\_\_\_\_

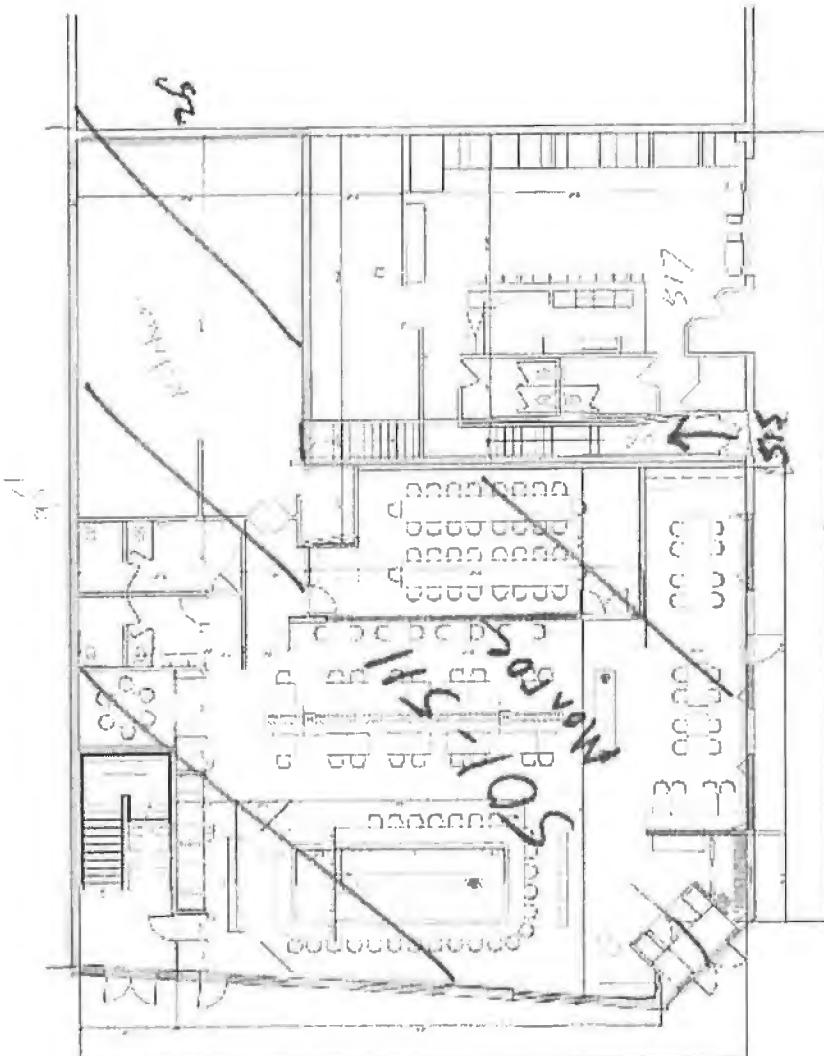
STATE OF MICHIGAN  
COUNTY OF WAYNE

}ss.  
}

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public  
in and for said County, appeared \_\_\_\_\_ to me  
known personally, who being duly sworn, did say that he is the \_\_\_\_\_  
of \_\_\_\_\_, and that the Written  
Acceptance of the Term and Conditions of the City of Council Resolution Approving  
Petition No. \_\_\_\_\_, adopted on \_\_\_\_\_, was signed on behalf of said  
corporation by authority of its Board of Directors.

\_\_\_\_\_  
Notary Public





511 Remond, Dehant | Climate and Planetary Physics

Page 4 of 5  
Tappers Properties, LLC / CPA Monroe, LLC  
Amendment to Lease

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City of Detroit  
Department of Public Works

40

Coleman A Young Municipal Center  
2 Woodward Ave, Suite 611  
Detroit, MI 48226  
(313) 224-3901  
[www.detroitmi.gov](http://www.detroitmi.gov)

June 7, 2019

Honorable City Council:

RE: Petition No. 426: Cobb Corner LLC, 4201 Cass Ave, requests permission to provide Outdoor Café Service. This service will be seasonal, and will convene April 1<sup>st</sup> through November 30<sup>th</sup>, yearly with yearly administrative review, from the date of your Honorable Body's approval.

The Department of Public Works (DPW) who has jurisdiction over temporary encroachment in the public right-of-way, for Outdoor Café use, has approved this request contingent upon the petitioner's compliance with applicable City ordinance related to outdoor café activities and the remittance of the annual use-permit fee to the DPW.

The Detroit Health Department (DHD) has approved this petition, subject to the petitioner's strict adherence to the 199 Food Code, Food Law of 2000 and City Ordinance, Chapter 21. No outdoor grilling is permitted without approval from the Health Department's Food Safety Division.

Approval from the Detroit Police Liquor License Bureau is contingent upon the final action given by the City Council towards the above-referenced petition. Prior approval from the Central District Precinct does not cover serving liquor in outdoor café area until the Detroit Police Liquor License Bureau has given approval.

The Historic District Commission has issued the Certificate of Appropriateness for this location as of May 17, 2019.

The Department of Public Works/ Traffic Engineering Division (DPW/TED) has approved this request contingent upon the petitioner's compliance with provided DPW/TED instructions.

The Detroit Police Department has reviewed the petitioner's request and issued their approval with no objections.

The Legislative Policy Division has reviewed the petitioner's request and issued their approval with no objections.

It is the recommendation of DPW that the petitioner's request be granted subject to the terms and conditions provided in the attached Resolution and that this service will convene April 1<sup>st</sup> through November 30<sup>th</sup> yearly with yearly administrative review from the date of your Honorable Body's approval.

Respectfully submitted,

*Chisara Brown*

Chisara Brown, Mobility Planner

CC: Caitlin Malloy Marcon, Deputy Director Complete Streets Division



City of Detroit  
Department of Public Works

Coleman A Young Municipal Center  
2 Woodward Ave, Suite 611  
Detroit, MI 48226  
(313) 224-3901  
[www.detroitmi.gov](http://www.detroitmi.gov)

PROVIDED, That the designated outdoor seating area shall be properly identified through the use of clear delineation in order to regulate and control the serving of liquor within the perimeter of the café; and

PROVIDED, That the outline and location of the outdoor café is not to be different from the site plan approved by the DPW/CSD; and

PROVIDED, That if any tent, canopy or other enclosure is to be utilized on the subject site, the applicant shall secure prior approval from Building, Safety Engineering & Environmental Department and the Department of Public Works/City Engineering Division; and

PROVIDED, That all physical barriers and fixtures shall be removed from the public right-of-way during the months of non-operation and placed in storage; and

PROVIDED, That a certified copy of this Resolution shall be recorded with the Office of the Register of Deeds for Wayne County at the "permittee's" expense;

Adopted as follows:

Yea-

Nay-

**City of Detroit**  
**OFFICE OF THE CITY CLERK**

Janice M. Winfrey  
*City Clerk*

Vivian A. Hudson  
*Deputy City Clerk*

## **DEPARTMENTAL REFERENCE COMMUNICATION**

*Friday, June 29, 2018*

*To: The Department or Commission Listed Below*  
*From: Janice M. Winfrey, Detroit City Clerk*

---

The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

---

**PLANNING AND DEVELOPMENT DEPARTMENT**  
**DPW - CITY ENGINEERING DIVISION**

**426**      *Cobb Corner Bar LLC, request for a seasonal Outdoor Café Permit for 4201 Cass Ave.*



HOUSING & REVITALIZATION DEPARTMENT  
2 Woodward Avenue, Suite 908, Detroit, MI 48226  
(313) 224-6380

## APPLICATION FOR SEASONAL OUTDOOR CAFÉ PERMIT:

### PETITIONER'S INFORMATION:

COBB CORNER BAR L LLC 248-866-9979 ROBERT ALAN COBB@GMAIL.COM  
(PETITIONER'S NAME) (TELEPHONE NUMBER) (EMAIL ADDRESS)  
4201 CASS DETROIT MICH MICH 48201  
(PETITIONER'S ADDRESS) (CITY) (STATE) (ZIP)

### OWNER'S INFORMATION:

ROBERT A COBB 248-866-9979  
(OWNER'S NAME) (TELEPHONE NUMBER) (EMAIL ADDRESS)  
4201 CASS DETROIT MICH. 48201  
(OWNER'S ADDRESS) (CITY) (STATE) (ZIP)

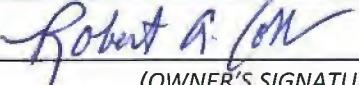
### OUTDOOR CAFÉ INFORMATION:

SAME  
(CAFÉ NAME)  
  
(CAFÉ ADDRESS) (CITY) (STATE) (ZIP)

TYPE OF OUTDOOR CAFÉ:  SEASONAL (SUBMIT TO H&RD, SUITE 908)  
 PERMANENT (SUBMIT TO DPW/CITY ENGINEERING, SUITE 642)  
 ON YOUR OWN PROPERTY (SUBMIT TO BSEED, SUITE 401)

WILL PROPOSED OUTDOOR CAFÉ BE: OPEN  ENCLOSURE  FIXED AWNING

DO YOU SERVE ALCOHOL? YES  NO

  
(OWNER'S SIGNATURE) 6-15-2018  
(DATE)

[FOR DEPARTMENT USE ONLY]

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

DENIED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

### REQUIRED ATTACHMENTS TO BE SUBMITTED WITH APPLICATION (HARD COPY OR PDF):

1. **11"x17" Site Plan** of 1"=10' Scale, depicting dimensions of seating area and its setbacks from the street curb and any obstructions in the right-of-way, (i.e. parking meter, tree trunk and light pole). A Location Map with the north arrow of the subject site should be provided on the site plan. \*\*\*See Attached Sample Plans\*\*\*
2. **11"x17" Floor and Elevation Plans** of 1/8" or 1/4"=1' Scale, showing layout of the tables and chairs, service corridor dimensions and location. In addition, show type and height of fencing including fastening details, and photos/images of the type of fencing/gate and street furniture that will be installed.
3. **Provide Photos** for the section of the right-of-way and building in question.







City of Detroit  
Department of Public Works

Coleman A Young Municipal Center  
2 Woodward Ave, Suite 611  
Detroit, MI 48226  
(313) 224-3901  
[www.detroitmi.gov](http://www.detroitmi.gov)

June 7, 2019

Honorable City Council:

RE: Petition No. 426: Cobb Corner LLC, 4201 Cass Ave, requests permission to provide Outdoor Café Service. This service will be seasonal, and will convene April 1<sup>st</sup> through November 30<sup>th</sup>, yearly with yearly administrative review, from the date of your Honorable Body's approval.

The Department of Public Works (DPW) who has jurisdiction over temporary encroachment in the public right-of-way, for Outdoor Café use, has approved this request contingent upon the petitioner's compliance with applicable City ordinance related to outdoor café activities and the remittance of the annual use-permit fee to the DPW.

The Detroit Health Department (DHD) has approved this petition, subject to the petitioner's strict adherence to the 199 Food Code, Food Law of 2000 and City Ordinance, Chapter 21. No outdoor grilling is permitted without approval from the Health Department's Food Safety Division.

Approval from the Detroit Police Liquor License Bureau is contingent upon the final action given by the City Council towards the above-referenced petition. Prior approval from the Central District Precinct does not cover serving liquor in outdoor café area until the Detroit Police Liquor License Bureau has given approval.

The Historic District Commission has issued the Certificate of Appropriateness for this location as of May 17, 2019.

The Department of Public Works/ Traffic Engineering Division (DPW/TED) has approved this request contingent upon the petitioner's compliance with provided DPW/TED instructions.

The Detroit Police Department has reviewed the petitioner's request and issued their approval with no objections.

The Legislative Policy Division has reviewed the petitioner's request and issued their approval with no objections.

It is the recommendation of DPW that the petitioner's request be granted subject to the terms and conditions provided in the attached Resolution and that this service will convene April 1<sup>st</sup> through November 30<sup>th</sup> yearly with yearly administrative review from the date of your Honorable Body's approval.

Respectfully submitted,

*Chisara Brown*

Chisara Brown, Mobility Planner

CC: Caitlin Malloy Marcon, Deputy Director Complete Streets Division



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PROVIDED, That the designated outdoor seating area shall be properly identified through the use of clear delineation in order to regulate and control the serving of liquor within the perimeter of the café; and

PROVIDED, That the outline and location of the outdoor café is not to be different from the site plan approved by the DPW/CSD; and

PROVIDED, That if any tent, canopy or other enclosure is to be utilized on the subject site, the applicant shall secure prior approval from Building, Safety Engineering & Environmental Department and the Department of Public Works/City Engineering Division; and

PROVIDED, That all physical barriers and fixtures shall be removed from the public right-of-way during the months of non-operation and placed in storage; and

PROVIDED, That a certified copy of this Resolution shall be recorded with the Office of the Register of Deeds for Wayne County at the "permittee's" expense;

Adopted as follows:

Yea-

Nay-

